

for the relief of needy Civil War veterans and the widows of veterans; to the Committee on Invalid Pensions.

7249. By Mr. UPDIKE: Petition of Lewis E. Frazeur, Edd McGovern, W. L. Bedford, Bert Buchanan, and Grant Moore, all residents of Marion County, Ind., who hereby favor legislation to increase the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7250. By Mr. VESTAL: Petition of Mrs. John Wilhelm et al., of Adams County, Ind., relative to the passage of general pension legislation; to the Committee on Invalid Pensions.

7251. Also, petition of William Ratcliff et al., of Madison County, Ind., urging enactment of pension legislation; to the Committee on Invalid Pensions.

7252. By Mr. WASON: Petition of Mary E. Law and three other citizens of Penacook, N. H., urging early and favorable action on the Civil War pension bill at this session of Congress; to the Committee on Invalid Pensions.

7253. Also, petition of Raymond J. Carr and 26 other residents of Lancaster, N. H., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

7254. Also, petition of W. H. Little and 16 other residents of Warren, N. H., urging early and favorable action on the Civil War pension bill at this session of Congress; to the Committee on Invalid Pensions.

7255. By Mr. WATSON: Petition from members of Local Union No. 225, United Garment Workers of America, Pottstown, Pa., favoring House bill 8653; to the Committee on Labor.

7256. Also, petitions from residents of Bucks and Montgomery Counties, Pa., urging the passage of legislation increasing the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7257. By Mr. WOOD: Petition signed by residents of Hammond, Ind., asking that the Civil War pension bill become a law at this session of Congress; to the Committee on Invalid Pensions.

7258. By Mr. WURZBACH: Petition of Roxie Searcy, A. D. Peters, and other citizens of San Antonio, Tex., requesting the passage of bills favoring increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

SENATE

TUESDAY, February 22, 1927

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our gracious heavenly Father, Thou hast been very loving and tender in Thy relations with Thy people. Thou hast ministered to them in days of weakness and of anxiety and when great crises confronted them.

We bless Thee for the history of our Nation, and we thank Thee for him who has been so honored through the years, loved for his integrity and devotion to truth and duty. We do ask our Father that this day may have for us singular associations of increased confidence in Thee and in the work before us.

Hear us, we beseech Thee. Give to our Nation and all who have to do with its government the light of Thy presence and the wisdom which only comes from Thee. Hear us and be constantly our guide. We ask in His name whose name is above every name, Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, February 17, 1927, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ROLL CALL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Copeland	Fess	Hale
Bayard	Couzens	Fletcher	Harrell
Bingham	Curtis	Frazier	Harris
Blease	Dale	George	Harrison
Bratton	Deneen	Gillett	Heflin
Broussard	Dill	Glass	Howell
Bruce	Edge	Goff	Johnson
Cameron	Edwards	Gooding	Jones, Wash.
Capper	Ernst	Gould	Kendrick
Caraway	Ferrie	Greene	Keyes

King	Nye	Sackett	Stewart
La Follette	Oddie	Schall	Swanson
Lenroot	Overman	Sheppard	Trammell
McKellar	Phipps	Shipstead	Tyson
McLean	Pine	Shortridge	Wadsworth
McMaster	Pittman	Simmons	Walsh, Mass.
McNary	Ransdell	Smith	Walsh, Mont.
Metcalf	Reed, Mo.	Smoot	Warren
Moses	Reed, Pa.	Stanfield	Watson
Neely	Robinson, Ark.	Steck	Willis
Norris	Robinson, Ind.	Stephens	

Mr. McMASTER. I wish to announce the necessary absence of the senior Senator from South Dakota [Mr. NORBECK] on account of injuries received in an automobile accident.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

Pursuant to the order of January 24, 1901, the Senator from Georgia [Mr. GEORGE], designated by the Chair, will read Washington's Farewell Address.

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. GEORGE read the address, as follows:

To the people of the United States:

Friends and fellow citizens, the period for a new election of a citizen to administer the Executive Government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed toward the organization and administration of the Government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experiences, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes

of fortune often discouraging—in situations in which not frequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land

and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionally greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations,—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general Government and in the Atlantic States, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your

support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill

founded jealousies and false alarms; kindles the animosity of one part against another; foment occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that

the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigating by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we

have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having

taken it, I determined, as far as should depend upon me, to maintain it with moderation, perservance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

UNITED STATES,

17th September, 1796.

GEO. WASHINGTON.

ORDER OF PROCEDURE

Mr. CURTIS. Mr. President, I understand that the House of Representatives desires to have the Senate come to its Hall as soon as possible after 12 o'clock.

Mr. PITTMAN. Mr. President, will the Senator allow me to make a statement before he asks for a recess?

Mr. CURTIS. Certainly.

Mr. PITTMAN. I gave notice upon yesterday that I would desire to address the Senate on the pending measure this morning, if the Senator from Arizona [Mr. ASHURST] had completed his speech by that time. He has concluded his speech, and if we are going to be in session any longer, I will proceed. If we are not, I shall ask to speak after we reconvene.

Mr. CURTIS. I thought we should have a quorum call, and by that time it would be 12 o'clock, and we should then proceed to the House and return immediately after the President's address before the two Houses was concluded.

PRESIDENTIAL TERMS

Mr. LA FOLLETTE. Mr. President, out of order I submit the following resolution, and ask that it may be read and lie over under the rule.

The VICE PRESIDENT. Without objection, the clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 365), as follows:

Resolved, That it is the sense of the Senate that the precedents established by Washington and other Presidents of the United States in retiring from the presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions.

Mr. ROBINSON of Arkansas. Mr. President—

Mr. CURTIS. Mr. President, I will delay for a few moments a call for a quorum, and asking for a recess, if Senators want to transact routine business.

Mr. BLEASE. What became of the resolution?

The VICE PRESIDENT. The resolution will go over, at the request of the Senator from Wisconsin.

[Routine business was transacted, which appears later, with other routine business, under proper headings.]

LOANS TO VETERANS UPON CERTIFICATES

Mr. ROBINSON of Arkansas. Mr. President, last night the Senate considered for some hours the veterans' loan bill, and the bill failed of passage. I believe that if an arrangement can be effected to consider the measure for a short time in the early future it may be finally disposed of. I do not ask that the proposed unanimous-consent agreement, which I send to the clerk's desk, be entered into now, but I ask that it be read, and I give notice that on to-morrow, soon after the Senate convenes, I shall ask the Senate to enter into the agreement.

The VICE PRESIDENT. The clerk will read the proposed unanimous-consent agreement.

The Chief Clerk read as follows:

It is agreed, by unanimous consent, that on Thursday, February 24, 1927, at 3 o'clock p. m., the unfinished business, if any, be temporarily laid aside, and that the Senate proceed to the consideration of H. R. 16886 for one hour, unless said bill shall be sooner disposed of.

The VICE PRESIDENT. Is there objection?

Mr. REED of Pennsylvania. What is the title of the bill?

The VICE PRESIDENT. It is the veterans' loan bill.

Mr. CURTIS. I understand the Senator from Arkansas is not asking for action on the request this morning. He said he would call it up to-morrow morning.

Mr. ROBINSON of Arkansas. I present it now in order that Senators may consider it, and I give notice that I shall call it up to-morrow.

ORDER OF PROCEDURE

Mr. SHORTRIDGE. Mr. President, I understand that the junior Senator from Arizona [Mr. CAMERON] now has the floor, and will resume his address on the unfinished business after we return to the Senate Chamber. I had indicated that I desired to make a few remarks in support of the pending measure, and I had also indicated that I would desire to follow the Senator from Arizona. I hope that it will be proper for the Chair to recognize me when the Senator from Arizona shall have concluded his address.

Mr. PITTMAN. Mr. President, I do not want any misunderstanding with the Senator from California; but when the Senator from Arizona [Mr. ASHURST] started to speak yesterday morning I interrupted him for the purpose of asking when he thought he would finish, and announced then that with the consent of the Senate I would follow him in support of this bill. After the reading of the farewell message this morning I again rose for the purpose of being recognized, and I asked the Senator from Kansas then if he preferred that the Senate should take a recess before we started in on any other business, and I understood him to say he did. Otherwise, I would have had the floor now.

Mr. SHORTRIDGE. I also rose; but the Vice President recognized another, properly enough. I rose for the very same purpose.

Mr. CURTIS. Mr. President—

Mr. PITTMAN. Just a second. I have the floor, and I will proceed to discuss this measure.

Mr. CURTIS. If the Senator will yield to me, I will suggest the absence of a quorum and then ask for a recess.

Mr. WALSH of Montana. Will the Senator withhold his request for a moment?

Mr. PITTMAN. I am very sorry that I can not do it, under the circumstances. I have the floor for the purpose of addressing myself to this bill, and I can not yield for any purpose at all, unless the Senator from Kansas desires—

Mr. SHORTRIDGE. Mr. President, a point of order. I understand the Senator from Arizona [Mr. CAMERON] has the floor.

The VICE PRESIDENT. The Boulder Canyon bill is not before the Senate. The Senate adjourned last night, and the unfinished business will not come before the Senate until 1 o'clock.

Mr. CURTIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Deneen	Gould	Ienroot
Bayard	Dill	Greene	McKellar
Bingham	Edge	Hale	McLean
Blease	Edwards	Harrell	McMaster
Bratton	Ernst	Harris	McNary
Broussard	Ferris	Harrison	Metcalf
Bruce	Fess	Heffin	Moses
Cameron	Fletcher	Howell	Neely
Capper	Frazier	Johnson	Norris
Caraway	George	Jones, Wash.	Nye
Copeland	Gillett	Kendrick	Oddie
Couzens	Glass	Keyes	Overman
Curtis	Goff	King	Phipps
Dale	Gooding	La Follette	Pine

Pittman	Schall	Stanfield	Wadsworth
Ransdell	Sheppard	Steck	Walsh, Mass.
Reed, Mo.	Shipstead	Stevens	Walsh, Mont.
Reed, Pa.	Shortridge	Stewart	Warren
Robinson, Ark.	Simmons	Swanson	Watson
Robinson, Ind.	Smith	Trammell	Willis
Sackett	Smoot	Tyson	

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

JOINT MEETING OF THE TWO HOUSES

Mr. CURTIS. Mr. President, I move that the Senate now proceed to carry out the order of January 29 last to attend a joint meeting of the House and Senate in the Hall of the House of Representatives, and that on the conclusion of the services in the House the Senate return to its Chamber for the continuation of business.

The VICE PRESIDENT. Without objection, it is so ordered.

The Senate, preceded by the Sergeant at Arms and the Assistant Doorkeeper, the Vice President and the President pro tempore, the Secretary and the Chaplain, proceeded to the Hall of the House of Representatives to receive the President's address before the two Houses of Congress on the subject of the Bicentennial Anniversary of the Birth of George Washington.

At 1 o'clock and 20 minutes p. m. the Senate returned to its Chamber, and the President pro tempore took the chair.

PRINTING OF THE PRESIDENT'S ADDRESS

Mr. FESS submitted the following concurrent resolution (S. Con. Res. 28), which was considered by unanimous consent and agreed to:

Resolved by the Senate (the House of Representatives concurring). That there shall be compiled, printed with illustrations, and bound, as may be directed by the Joint Committee on Printing, 75,000 copies of the address delivered to the American people in the House of Representatives on February 22, 1927, on the subject of the proposed celebration of the two hundredth anniversary of the birth of George Washington, including all the proceedings and the program of exercises, of which 8,000 copies shall be for the use of the Senate, 17,000 copies for the use of the House of Representatives, and 50,000 copies for the use of the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington, established by the joint resolution of Congress, approved December 2, 1924.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following resolutions of the Legislature of the State of Texas, which were referred to the Committee on Agriculture and Forestry:

HOUSE OF REPRESENTATIVES, STATE OF TEXAS,

OFFICE OF CHIEF CLERK,

Austin, February 19, 1927.

The honorable PRESIDENT OF THE SENATE,

Washington, D. C.

DEAR SIR: I am inclosing house concurrent resolution No. 2, which was unanimously adopted by the legislature recently and which is self-explanatory.

Sincerely yours,

M. LOUISE SNOW, Chief Clerk.

House Concurrent Resolution 2

Whereas in recognition of the universal acceptance by every progressive people that agricultural industry represents the foundation of all real progress by the social body, governments have come to lend their just powers and influence to conserve the integrity and stability of farming enterprise in its various forms as a necessary service for the protection and promotion of public welfare; and

Whereas agencies created by and under the just powers and authority of the Government of the United States, and functioning under proper governmental supervision, in accordance with a judicious public policy, have developed conditions tending to the intelligent mobilization of the Nation's credit resources for the determination of the great transportation and labor problems of the country, and for the well-being of commerce and manufactures; and

Whereas agricultural industry, the greatest of all the Nation's enterprises and the foundation of national security, prosperity, and development, is without the equal recognition and the cooperating and directing services which the national authority and influence may justly lend: Therefore be it

Resolved by the Legislature of Texas, That we respectfully and earnestly commend to the favorable consideration of the Congress of the United States the need for the creation at the earliest practicable time of such judiciously devised and well-balanced agencies for the accomplishment of the stabilization and well-being of essential agricultural industry of the Nation to the end that the great problems of sound economic agricultural production and judicious distribution and stimulus to more general beneficial utilization may have the most intelligent and capable cooperation and direction in their adjustment to the wel-

fare of the country, and may exercise the fullest measure of their influence upon the security of agricultural enterprise.

Resolved, That a copy of this resolution, duly attested, be transmitted by the chief clerk of the house to the honorable, the President of the Senate of the United States; to the honorable, the Speaker of the House of Representatives of the Congress of the United States; the honorable Secretary of Agriculture of the United States; and to each Member of the Texas delegation in the Congress.

FRANK C. BOBBITT,
Speaker of the House.
M. LOUISE SNOW,
Chief Clerk of the House.
BARRY MILLER,
President of the Senate.
W. V. HOWERTON,
Secretary of the Senate.

The VICE PRESIDENT also laid before the Senate the following joint memorial of the Legislature of the State of Colorado, which was ordered to lie on the table:

STATE OF COLORADO, OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,

State of Colorado, ss:

CERTIFICATE

I, Chas. M. Armstrong, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete copy of House Joint Memorial 3, which was passed by the Twenty-sixth General Assembly of the State of Colorado and signed by the Governor of the State of Colorado on the 19th day of February, A. D. 1927.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 19th day of February, A. D. 1927.

[SEAL.]

CHAS. M. ARMSTRONG,
Secretary of State,
By E. W. BROWN, Deputy.

House Joint Memorial 3, by Representative Robinson, concerning retirement of disabled emergency officers of the World War

Be it resolved by the house of representatives of the twenty-sixth general assembly (the senate concurring), That this general assembly favors the prompt enactment of legislation now pending before the Congress of the United States, known as the Tyson bill in the Senate, and the Fitzgerald bill in the House of Representatives, which will remove the discrimination that now exists between disabled emergency officers of the World War and officers of the Regular Establishment, and that this general assembly believes that this will tend to bring about justice to these officers in accordance with the provisions of section 10, the selective service act of May 18, 1918, which provides as follows:

"All officers and enlisted men of the forces herein provided for other than Regular Army shall be in all respects on the same footing as to pay, allowances, and pensions as officers and enlisted men of the corresponding grades and length of service in the Regular Army"; and be it further

Resolved, That the United States Senators and Members of the United States House of Representatives representing the State of Colorado are hereby earnestly requested and urged to exert their efforts to secure the passage of this legislation by Congress, and that copies of this resolution be sent to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to the Senators and Representatives of the State of Colorado in Congress.

JOHN A. HOLMBUN,
Speaker of the House of Representatives.
GEORGE M. CORLETT,
President of the Senate.
WM. H. ADAMS,
Governor of the State of Colorado.

Mr. BRATTON. Mr. President, the New Mexico State Convention of the American Legion adopted a resolution on August 28, 1926, with reference to the so-called Tyson-Fitzgerald disabled emergency officers' retirement bill. I ask unanimous consent that it may be printed in the RECORD and lie on the table.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution passed by New Mexico State Convention of the American Legion, August 28, 1926

Be it resolved, That this convention heartily indorses the demand for recognition of the equality of service on the part of the officers of the Regular Army and of the emergency forces in the proposal to grant retirement to disabled emergency officers upon the same basis and with the same privileges as have been granted to the disabled officers of the Regular Establishment, and we strongly oppose any modification of this plan which would create any distinction between disabled regular and

emergency officers, particularly the proposal to create a separate list for disabled emergency officers and the payment of retiring pay to such officers through the Veterans' Bureau.

Mr. STEPHENS. Mr. President, I ask unanimous consent that resolutions adopted by the State convention of the American Legion at Vicksburg, Miss., on August 30 and 31, 1926, relative to the so-called Tyson-Fitzgerald disabled emergency officers' retirement bill, may be printed in the RECORD and lie on the table.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

VICKSBURG, MISS., August 30, 1926.

Resolution

Whereas the Congress of the United States in the selective service act of May 18, 1917, promised that all volunteer officers commissioned under that act should be "in all respects on the same footing as to pay, allowances, and pensions as officers of corresponding grades and length of service in the Regular Army"; and

Whereas of the nine classes of officers who served during the World War eight classes—namely, regular officers of the Army, Navy, and Marine Corps; provisional officers of the Army, Navy, and Marine Corps; and emergency officers of the Navy and Marine Corps—have been granted by Congress the privileges of retirement for disability when incurred in line of duty, leaving only the disabled emergency officers of the Army without such retirement; and

Whereas an overwhelming majority of the Members of each Congress since the armistice has promised to correct the injustice to disabled emergency Army officers by the enactment of legislation designed to adjust the unfair conditions imposed upon these men; and

Whereas the United States Senate has twice passed measures to correct this condition—the vote in the Sixty-seventh Congress being 50 to 14, the vote in the Sixty-eighth Congress being 63 to 14; and

Whereas in the present Sixty-ninth Congress of the United States there are pending two identical bills seeking to accomplish this worthy end, namely, the Tyson bill, S. 3027, and the Fitzgerald bill, H. R. 4548; and

Whereas the Senate Committee on Military Affairs at the first session of the current Congress favorably reported the Tyson bill and the House Committee on the World War Veterans' Legislation favorably reported the Fitzgerald bill, both of which measures are on the respective calendar of the Senate and the House awaiting a final vote: Now, therefore, be it

Resolved, That the American Legion in State convention assembled at Vicksburg, Miss., August 30 and 31, 1926, urges and demands that the principles of retirement already established for the eight other classes of officers who served during the World War be granted to the disabled emergency officers who are handicapped from the sacrifice which the Nation demanded of them during their service for America in the World War and indorses as proper legislation to accomplish this end the pending Tyson bill, S. 3027, and Fitzgerald bill, H. R. 4548; and be it further

Resolved, That all Members of the Sixty-ninth Congress be, and they hereby are, most strongly urged to lend their most active support in securing the enactment of this pending legislation as early as possible during the short session of the current Congress; and be it further

Resolved, That copies of this resolution be sent to the Vice President of the United States and to each Member of the United States Senate and House of Representatives.

Adopted in regular convention assembled in Vicksburg, Miss., August 31, 1926.

[SEAL.]

H. D. MORROW,
Adjutant the American Legion,
Department of Mississippi.

Mr. HARRISON presented resolutions adopted by the State convention of the American Legion at Vicksburg, Miss., August 30 and 31, 1926, favoring the passage of the so-called Tyson-Fitzgerald disabled emergency officers retirement bill, which was ordered to lie on the table. (See resolutions printed in full when presented to-day by Mr. STEPHENS).

Mr. WALSH of Massachusetts presented petitions of sundry citizens of the State of Massachusetts, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

He also presented a letter and telegrams in the nature of petitions from sundry citizens of New Bedford, Taunton, Athol, and Ludlow, all in the State of Massachusetts, praying for prompt and favorable action on Senate Joint Resolution 147, creating a commission to investigate the subject of civil-service retirement and the operation and administration of the law relative thereto, which were referred to the Committee on Civil Service.

Mr. BRUCE presented a petition of sundry citizens of Baltimore, Md., praying for the prompt passage of legislation grant-

ing increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

He also presented a memorial numerous signed by sundry citizens of Tacoma Park, Md., remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday, or any other legislation religious in character, which was referred to the Committee on the District of Columbia.

Mr. DILL presented numerous memorials of sundry citizens of the State of Washington, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday, or any other legislation religious in character, which were referred to the Committee on the District of Columbia.

Mr. WILLIS presented petitions of sundry citizens of Cleveland and Cincinnati, in the State of Ohio, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

CHANGES OF REFERENCE

On motion of Mr. WADSWORTH, the Committee on Military Affairs was discharged from the further consideration of the following bills, and they were referred to the Committee on Claims:

A bill (H. R. 15253) for the relief of certain officers and former officers of the Army of the United States; and

A bill (H. R. 16155) for the validation of the acquisition of Canadian properties by the War Department and for the relief of certain disbursing officers for payments made thereon.

REPORTS OF COMMITTEES

Mr. GILLET, from the Committee on the Judiciary, to which was referred the bill (S. 4840) to provide for the appointment of an additional judge of the District Court of the United States for the Northern District of New York, reported it without amendment and submitted a report (No. 1557) thereon.

Mr. WALSH of Montana, from the Committee on the Judiciary, to which was referred the bill (S. 5770) granting immunity to certain witness, reported it without amendment and submitted a report (No. 1558) thereon.

Mr. BORAH, from the Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 207) directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906, reported it with amendments and submitted a report (No. 1559) thereon.

Mr. MAYFIELD, from the Committee on Claims, to which was referred the bill (S. 3882) for the relief of Bert Moore, reported it without amendment and submitted a report (No. 1561) thereon.

Mr. MEANS, from the Committee on Claims, to which was referred the bill (H. R. 15253) for the relief of certain officers and former officers of the Army of the United States, reported it without amendment and submitted a report (No. 1562) thereon.

Mr. CARAWAY, from the Committee on Claims, to which was referred the bill (H. R. 8932) for the relief of William F. Redding, reported it without amendment and submitted a report (No. 1563) thereon.

Mr. BAYARD, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 6057) for the relief of George Boiko & Co. (Inc.) (Rept. No. 1564);

A bill (H. R. 9804) for the relief of the Pacific Steamship Co., of Seattle, Wash. (Rept. No. 1565); and

A bill (H. R. 10422) for the relief of William J. O'Brien (Rept. No. 1566).

He also, from the same committee, to which was referred the bill (H. R. 12563) for the relief of Walter B. Avery and Fred S. Gichner, reported it with an amendment and submitted a report (No. 1567) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1595) for the relief of Fannie Kravitz (Rept. No. 1568);

A bill (H. R. 2718) for the relief of M. F. Snider (Rept. No. 1569);

A bill (H. R. 8739) for the relief of Lim Toy, of the city of Boston, Mass. (Rept. No. 1570);

A bill (H. R. 9150) for the relief of the Niagara Machine & Tool Works (Rept. No. 1571);

A bill (H. R. 10035) for the relief of Albert H. Hosley (Rept. No. 1572);

A bill (H. R. 12404) for the relief of Shadyside Bank (Rept. No. 1573); and

A bill (H. R. 12388) for the relief of K. I. Ward (Rept. No. 1574).

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (H. R. 16207) to authorize an appropriation to enable the Secretary of the Interior to provide an adequate water supply for the Sequoyah Orphan Training School, near Tahlequah, Cherokee County, Okla., reported it without amendment.

R. W. HILDERBRAND

Mr. STEPHENS. From the Committee on Claims I report back favorably without amendment the bill (H. R. 11064) for the relief of R. W. Hilderbrand, and I submit a report (No. 1560) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to R. W. Hilderbrand \$1,361.35 in full and final settlement for injury received in raiding an illicit still on or about August 14, 1925.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MCKELLAR:

A bill (S. 5789) to authorize certain officers of the United States Navy and Marine Corps to accept certain decorations conferred upon them by the Government of Greece; to the Committee on Naval Affairs.

A bill (S. 5790) granting the consent of Congress to the department of highways and public works of the State of Tennessee to construct, maintain, and operate a bridge across the Clinch River in Hancock County, Tenn.; to the Committee on Commerce.

By Mr. DENEEN:

A bill (S. 5791) to extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Ill.; to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 5792) to further develop an American merchant marine, to assure its permanence in the transportation of the foreign trade of the United States, and for other purposes; to the Committee on Commerce.

By Mr. BRUCE:

A bill (S. 5793) to provide a memorial branch library building in the District of Columbia; to the Committee on the Library.

By Mr. WATSON:

A bill (S. 5794) to increase the minimum rate of pensions; to the Committee on Pensions.

By Mr. METCALF:

A bill (S. 5795) to amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. WHEELER:

A bill (S. 5796) granting an increase of pension to Elizabeth Nickens; to the Committee on Pensions.

By Mr. EDGE:

A joint resolution (S. J. Res. 168) proposing an amendment to the Constitution relating to intoxicating liquors; to the Committee on the Judiciary.

RELATIONS WITH MEXICO AND CENTRAL AMERICAN COUNTRIES

Mr. BORAH submitted the following resolution (S. Res. 366), which was referred to the Committee on Foreign Relations:

Resolved, That the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is hereby authorized to investigate and study conditions and policies bearing upon the relationship between the Central American countries, Mexico, and the United States. For the purposes of this resolution the committee, or subcommittee, is authorized to visit such countries, to sit during the recess of Congress and at such times and places, to employ such clerical, stenographic, or other assistance, to require the attendance of such witnesses and the production of such documents and papers, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable.

The expenses of the committee, or subcommittee, which shall not exceed \$10,000, shall be paid out of the contingent fund of the Senate.

EQUALITY FOR AGRICULTURE WITH INDUSTRY

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to have printed in the RECORD an address by George Nelson Peek, chairman executive committee, North Central States Agricultural Conference, delivered before the Academy of Political Science in the city of New York in January, 1927, entitled "Equality for agriculture with industry."

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I

We are engaged to-day in the most interesting and, from the American point of view, one of the most vitally important experiments the world has ever witnessed—a test of whether an independent agriculture, enjoying the advantages and benefits of life on a level comparable with that prevailing in our cities and towns, can be established and maintained.

Excepting on the North American Continent, the labor of farm production is nearly everywhere performed by a peasant class. Farming has tended to become a peasant occupation because rewards are so uncertain and frequently so low that they permanently attract only those who are content with harder work and lower living standards than the more resourceful and aggressive demand. The uncertainty is not only one of yields but of prices; the uncontrolled risks such as weather and pests are followed by other and often equally disastrous risks in the market.

The day of the self-contained farm, existing on its own production aided by a little barter, is definitely past. So is the day when rising land values will compensate for unprofitable crop prices. The condition that has succeeded them is dangerously weakening our farm structure. The issue which the present experiment is to determine is whether our ideal of American agriculture, as distinguished from peasant agriculture, can endure.

II

The facts, figures, and causes of our postwar agricultural depressions have too long been matters for discussion. The rehabilitation of the farmer and a method of preventing a recurrence of agricultural depressions now compel attention and immediate action.

To anyone really familiar with the present status of the farmer, certain conclusions are inevitable. He has been producing food for the Nation at prices which have been exhausting the accumulated resources of the generations which preceded him, because they have not yielded cost of production. He has been attempting to buy the actual necessities of life at prices which reduced his purchasing ability to a point which prohibited him from buying what he needed.

In the past 15 years the farm debt has trebled¹ and actual farmland values have declined one-fifth.² During the past six years the dollar value of the farm investment has declined twenty billions,³ while our industrial and urban wealth has increased by that amount or more.⁴ These are evidences of a progressive draining away of wealth from the country to the city, which is inevitable as long as the products of the farm remain low in price compared with goods and services which the farmers must buy.

The purchasing power of farm products (according to the index used by the Bureau of Agricultural Economics)⁵ has ranged from a yearly average of 69 per cent of pre-war in 1922 to 89 per cent in 1925 and at the last published calculation stood at 83 per cent in August,

¹ The mortgage and personal debt of farmers of the United States is estimated at \$4,200,000,000 for 1910—Brookshire Economic Service, generally accepted as approximately correct. The estimated total debt for 1920 used as a basis for its calculations by the Bureau of Agricultural Economics is \$12,250,000. The farm census of 1925 has not been finally tabulated on mortgage debt reported, but the figures for States announced to date by the Bureau of the Census show an increase in 1925 over 1920. Census figures show trends of indebtedness rather than totals.

² Using census figures as a base of current dollar value and correcting by the use of the all-commodity index of the Bureau of Labor Statistics shows that the 1925 purchasing power of the lands of the 12 North Central States was but 78.96 per cent of that of 1910. In other parts of the United States, excepting the South Atlantic group, the same general percentage was recently announced in the Journal of Land Economics, by Dr. Paul Eke, of the University of West Virginia.

³ Dr. O. C. Stine and L. H. Bean, of the Bureau of Agricultural Economics, Income from Agricultural Production, in table, p. 29, Annals of American Academy of Political and Social Science, January, 1925 (based on Dr. W. I. King's studies for Bureau of Economic Research), give total farm property value for 1920 as \$79,807,000,000; for 1924, \$59,409,000,000.

⁴ In general, this statement is verified by the National Industrial Conference Board (The Agricultural Problem in the United States), p. 54, table 14, which shows that total national wealth increased between 1912 and 1922 from one hundred and eighty-six to three hundred and twenty-one billions, whereas the total agricultural wealth between the same years increased only from forty-two to fifty-nine billions.

⁵ This index compares the farm price of 30 leading items of farm production with the wholesale price of nonagricultural commodities as reported by the Bureau of Labor Statistics on the basis of the five years, 1910-1914, as \$100. (See The Agricultural Situation.)

1926.⁶ In the words of the National Industrial Conference Board: "It is often said if we could adjust prices to their comparative relationship to other prices which we had in the period from 1909 to 1914, everything would be all right; but, as a matter of fact, there is very little evidence that agriculture was in a sound condition in this country before the war."

The limits of this paper will not permit extended reference to evidences of the results of the disparity which have been pointed out by the National Bureau of Economic Research, the National Industrial Conference Board, the United States Department of Agriculture, and numerous other institutions and investigators. Our farm plant is contracting in comparison with our population and with other industries; our agricultural exports per capita have declined 28 per cent,⁷ and our agricultural imports per capita have increased 30 per cent since 1900;⁸ there is persistent and increasing disparity between the per capita share in the national income received by farmers compared with nonfarmers;⁹ returns on capital invested in agriculture are small compared with those of other investments.¹⁰ Most of these are involved in the long-time trends of agriculture.

Of the recent developments the National Bureau of Economic Research says: "The great agricultural depression of 1921 and 1922 was not due to the fall in general prices, but to the fact that the prices of agricultural commodities fell more rapidly and to lower levels than did the prices of the articles the farmers bought."

Another industry finding itself unable to return production costs would restrict output and regulate its movement to market, until prices properly related themselves to costs of production. The major branches of farming, however, face this problem with the certainty that, even if the acreages of the millions of individuals could be accurately regulated no power on earth could forecast what production would be.

So the producers of our basic crops have hung on, year after year, unable to make protective devices that work for other groups operate for them. They are forced to see their total current supply equated to current demand at a disastrous price because of their inability to lengthen the equation over a number of years, through effective holding and storing against future needs.

If the wheat farmers could adjust their supply to the needs and purchasing power of their several markets they could use the tariff to protect their domestic price levels. If the cotton growers as a whole could own and carry their temporarily unneeded supplies they could stabilize their market over a period of years at the best obtainable price, instead of taking the price which the current demand affords, regardless of what the needs of to-morrow may be. The present crisis in cotton provides a case in point. Favorable crop conditions combined with a large acreage to produce a large yield. Prices collapsed upon crop forecasts to a point barely equivalent in purchasing power to 5-cent cotton before the war. Congress, a few months ago, failed to pass a measure under which the cotton growers themselves could have adjusted supply to demand. Now the Government is attempting to arrange for the withdrawal of 4,000,000 bales of cotton under conditions which may help the banker who has cotton loans, and the cotton buyers and spinners who have loaded up while prices were at the bottom, but which, under no conceivable circumstance, can be of assistance to the cotton farmer who has been forced to let his crop go.

III

This condition strongly emphasizes the need of a new agricultural policy. It must be broader than any one bill or remedy. The sound program for America must aim toward the development of a well-balanced national life—one which will not stimulate any one form of productive effort at the expense of other equally essential producers. If we pursue this it will inevitably take us into fields of taxation, of transportation, of finance, and of markets. But in the brief time allotted to me I wish to confine myself to the particular phase of the

⁶ The Agricultural Situation, October, 1926, (p. 6), says: "The general index of purchasing power of farm products in terms of nonagricultural commodities again declined three points from the month previous and stood at 82, the five pre-war years being considered as 100. One year ago this index stood at 93. This latest figure of 82 represents the lowest point reached in 26 months." (The Agricultural Situation in November revised its August index from 82 to 83.)

⁷ Dr. Virgil Jordan, chief economist of the National Industrial Conference Board, Chicago, Oct. 1, 1926: "The increasing effectiveness of competition of foreign producers in both foreign and domestic markets is shown by the downward trend of exports and the rise of imports after 1900, both of which were interrupted only temporarily by the exceptional conditions during the war period. Since about 1900 our exports per capita in quantity of agricultural products have declined about 28 per cent, whereas the volume per capita of our agricultural imports has risen about 30 per cent."

⁸ Idem.

⁹ To show "the persistent and increasing disparity between the per capita share in the national income of those engaged in agriculture and that of those engaged in other major occupations," Doctor Jordan gave the following figures: "For \$100 that went to each person engaged in all other branches of our productive life each person engaged in agriculture received \$46 in 1900. It has gone down in 1910 to \$40 and in 1920 to \$39. We find that the percentage of the total national income which has gone to agriculture has steadily declined since 1920 from 13.8 per cent in 1920 to about 7.5 per cent in the last fiscal year, 1925-26."

¹⁰ National Industrial Conference Board; Dr. O. C. Stine, L. H. Bean, Income from Agricultural Production cited above.

problem which organized farmers have sought to attack through legislation in the Sixty-eighth and Sixty-ninth Congresses.

When a surplus agricultural production was necessary to repay foreign investors in the United States, and to pay for our imports our national policy of expanding agriculture upon an export basis worked admirably. When our greatest national test came it was our surplus food production that fed the Allies and decided the issue of the World War. But the international balance shifted as a result of the war. We have the gold. The rest of the world owes us. These facts inevitably limit the volume of exports, both industrial and agricultural, from the United States. Our wheat, pork, cotton, and sometimes beef, can bring the farmers only the price which foreign buyers will pay for what is left after the domestic need is satisfied. This condition is crucifying agriculture. It is directly due to our past policy of agricultural expansion, and to the development of the American protective system which keeps farm costs on a high domestic plane while farm prices remain relatively low, due to the influence of world competition.

In my reference to the American protective system I include not only the tariff but such measures and devices as the Adamson law, restriction of immigration, the Esch-Cummins law, the Railroad Labor Board, and others of like purpose. These all have tended to protect, stabilize, and hold immune from world influence industry and labor, and to make effective the work of their organizations in holding up the prices of their commodities and services.

Agriculture, on the other hand, remaining unorganized is still subject to world influences on export crops, because the American price of these crops is not determined here by American conditions, but is determined in foreign markets by world conditions. We sell our surplus abroad in world competition, at a price determined by world supply and demand, and regulated by world conditions. It follows that the price of the surplus is the price of the crop. This is axiomatic.

For nearly five years this condition, as one of the principal reasons for the existing inequality, has been known by our national administrations. The agricultural conference convoked by President Harding in the early months of 1922 called, by resolution, upon the President and Congress to take such steps as were necessary immediately to restore the fair exchange value of the farmers' dollar. The chairman of that conference, who was also chairman of the Congressional Joint Commission of Agricultural Inquiry, appointed by Congress "to determine the cause of the agricultural depression," refused to permit a discussion of what is now generally recognized as the principal cause of the depression, because he said it involved the tariff. In its report, covering some four volumes of facts, figures, and diagrams, this commission failed to mention the only thing it was appointed to determine—the cause of the agricultural depression.

IV

The remedy lies in one of two directions. One, repealing all protective measures enacted for the benefit of other groups, thus enabling the farmer to buy as well as sell in a world market; the other, including the farmer in the protective system by organizing and financing agriculture so that it, too, can adjust supply to demand, and if necessary divert surplus to export, as industry does, and is encouraged to do by the Webb-Pomerene and Edge laws.

The first remedy, the repeal of all protective legislation, is legislatively impossible and certainly undesirable, since protection furnishes security for American standards of living against descent to the level of the world at large. Farmers have not advocated this policy. Even if by cheapening other goods and services their purchasing power could be restored, the low dollar price would leave them under a great disadvantage in relation to their debt. Their indebtedness has mounted from about \$4,000,000,000 in 1910 to over \$12,000,000,000 in 1925 (Cf. supra, note 1)—a sum greater than the original foreign debt to the United States. If the farmers are ever going to pay that debt, it should be with commodities as high in dollar value as when the debt was incurred—or as near to that figure as possible. To reduce the dollar value of other goods and services might raise the exchange value of farm crops, but if the price level for all commodities, including agricultural products, were thereby lowered and held down, the debt-paying power of the farmer would be reduced.

The second remedy—to include the farmer in the protective system—is no difficult matter. It requires only a mechanism which the producers of the primary surplus crops can use to regulate the movement of their crops to market, with the cost of withholding unneeded supplies, or of diverting small surpluses to export markets, assessed against all the producers of the commodity affected. If you withhold or skim off the surplus which for natural reasons can not be controlled or prevented in the production stage, the demand can still be satisfied, but at a fair exchange value for the farmer.

This principle would work out in different ways with different crops. The growers of cotton could secure relative price stability through balancing supply and demand over a period of years instead of currently. They could secure for themselves whatever economic advantage there may be in their position as producers and exporters of two-thirds

of the world's international trade in cotton. Growers of other crops like wheat, of which the exportable surplus is relatively small compared with domestic consumption, could secure the advantage of tariffs in the domestic market.

The essential element in such a mechanism is the universal assessment or "equalization fee," which distributes the cost of caring for surpluses over all the producers of a particular crop whose excess supplies have to be dealt with to prevent price demoralization.

Opponents of the movement have made much use of adjectives and epithets to condemn it without entering into a discussion of the economic principles involved. "Economically unsound," "price fixing," "unworkable," "socialistic," "class legislation," and other inspired phrases have found receptive places in the minds of many well-meaning people. They are not intellectual arguments, and appeal only to prejudice. The people who utter them will do well to stop and reflect. A decaying agriculture is a sure sign of a decadent nation.

I confess I do not know just what is meant by the term "economically unsound." We are discussing laws of trade as distinguished from laws of production, and it is our purpose to extend the laws of trade as applied to agriculture. All trade laws are man made; and if the proposal of the farmers under discussion is economically unsound, then so are many laws of trade which permit holding by an industry of supply and releasing it to demand at will.

In this connection it may be interesting to note that in a full discussion of the subject, extending over a period of more than a year, conducted by Mr. Chester C. Dawes and the writer, through General DAWES, with Sir Josiah Stamp, of England,¹¹ the question of the economic soundness was never raised by Sir Josiah. On the contrary, he said:

"As has already been emphasized in previous correspondence, the ultimate test of the scheme is whether the return on the capital and labor of the farmer is fair and reasonable in comparison with that secured by capital and labor in other economic spheres. The late Henry C. Wallace, according to the views quoted from his book entitled 'Our Debt and Duty to the Farmer' holds that it is not. A judgment on this matter can only be formed by those on the spot."

In speaking of the charge that the proposal is "price fixing," he said: "The scheme is thus not a price-fixing one, for it merely creates an addition to a moving world price. This, on the assumptions given one, is economically feasible and not fallacious." Of its workability he said: "There seems to be no reason why this process should not be carried on until the domestic price is pushed to the point at which the return to the farmer will bring his economic position into favorable comparison with that of other producers."

If it is "socialistic" and "class legislation," it must be borne in mind that it is merely a demand of the farmers for relief from the effect of special legislation already enacted by Congress in the interest of other groups.

Many objections have been raised. Only a few of them are worthy of consideration or can be considered here. Two arguments are frequently heard against effective action along this line for agriculture: First, that it would raise the cost of living and thus lead to demands for higher wages, the so-called "vicious circle"; second, that it would stimulate production, thus aggravating the difficulty. If we admit either one as a valid argument we confess that there is no solution short of tearing down industry and labor; that farm prices must continue to be low, compared with other prices. This denial to the farmer of his production cost plus a small profit means that we insist that his present position of disadvantage must be made permanent in order to keep industry satisfied.

Much of the mention of increased living costs as a reason for opposing farm legislation does not come from the consumers at all. As a matter of fact, I am convinced that fair prices to the farmer would not mean in the long run any appreciable hardship to the retail consumer. There are adequate safeguards to the consumer against unduly high prices. Imports would flow in when prices rise at home to the limit of the tariff above prices outside. There is a point, too, at which consumers would turn to substitutes, which would naturally limit prices, just as stimulated production would increase the supply and check prices if they tended to get definitely out of line with fair production costs.

Retail prices which consumers pay in many cases do not reflect the change in price levels at which farmers sell these great staple crops, which is one reason for the comparative inelasticity of demand. For example, the farm price of cotton in January, 1924, was 32.5 cents per pound; in January, 1926, it had declined to 17 cents per pound; and

to-day the farmer is getting 10 to 11 cents per pound on the farms of the South. There has been a drop in the farmer's price to about one-third of the price 34 months ago, yet how much has the retail price of cotton goods to the American consumer declined? The farm price of wheat dropped over a dollar a bushel in 1920, without any corresponding reduction in the price of bread, and it has had an up and down range of nearly 90 cents a bushel during the last two years, but the only way the consumer of bread learned of it was to read it in the papers.¹²

We must recognize that increased farm prices would react on the cost of living to exactly the same degree, no matter whether the rise was due to voluntarily limited production or to control of supply by cooperative organization or to Government action.

As to stimulated production, any one of the methods suggested above would have to increase farm prices so greatly that farming would be attractive to capital in competition with other investment before production could be materially expanded. There is a long gap to be filled before that point is reached. Our per capita farm acreage and production alike are falling steadily behind our population.¹³

The argument that increased production will follow farm legislation, advanced in a country where every public policy has been aimed at the expansion of farm production, would be absurd if it were not urged seriously by men of influence. Among them are our foremost advocates of Government help to expand farm production. Singularly enough men will condemn one method proposed to increase farm prices on the ground that its adoption would stimulate production and advocate another method to accomplish the same purpose without recognizing that the effect upon production, whatever it might be, would probably be identical in both cases. Finally, even if production should increase, the farmer alone would bear the burden of it under the plan proposed.

VI

There are many elements in the agricultural problem to-day that are new. They contribute to the forces that have pressed agriculture out of adjustment in our national life. It is necessary that we understand them and in the light of that understanding define a new national policy.

Foreign countries can not well pay in gold for either industrial or agricultural products, because we now have the gold; they can not advantageously pay for our agricultural products with their industrial products because of the tariff. They can not pay for industrial exports with competing agricultural products because of the tariff, and because of our surplus production in many lines. Yet in the midst of such wealth as no other country has ever possessed, one-third of our people are witnessing the transfer of their savings and capital into the hands of other economic groups. This impoverishment of agriculture, our basic industry, must go down in American history as a dark blot upon our statesmanship.

Without further delay we should, through legislation, make it possible for agriculture to attain economic equality with industry and labor in the domestic market, and then in the future let all three groups make adjustments together to meet changing conditions whenever it seems necessary to do so, as a matter of national policy.

I repeat, the sound program for America should aim toward the development of a well-balanced national life, one which will not stimulate any one form of productive effort at the expense of other equally essential producers.

LOWER COLORADO RIVER BASIN

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3331) to provide for the protection and development of the lower Colorado River Basin.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

¹¹ This is supported by common knowledge and postwar experience with prices of (1) wheat and bread, (2) cotton and cloth.

¹² Describing "the contraction of our agricultural 'plant' and its production relative to the growth of our population," the National Industrial Conference Board says: "Since the beginning of the century our mining production increased about 281 per cent, our manufacturing production about 190 per cent, whereas agricultural production only increased 38 per cent. The number of acres in farms per capita increased up to 1860, but then started to decline, since it was then limited by the limits of our territory. The per capita of improved farm land increased up to 1880, but since then has shown a downward trend. The acreage in harvested crops per capita increased up to 1900. Since then it has shown a downward trend. In the period 1920-1925 this decrease was very sharp, between 9 and 10 per cent. Instead of this process resulting in an increase in yield per acre to make up for the declining per capita acreage in crops, there has been a slackening in the upward tendency in the yield per acre, which was in evidence before the beginning of the century. Neither has there been any increase in the total per capita agricultural production. In fact the period 1920-1925 shows about 5 per cent below the pre-war years 1910-1914." Also see Brief of American Council of Agriculture, filed with President's Agricultural Conference, December, 1924.

¹³ On January 5, 1925, Gen. Charles G. Dawes, Vice President, submitted a statement of a proposal to manage and divert the exportable surplus of wheat in the interest of stable domestic prices to Sir Josiah C. Stamp, English economist. Upon receipt of Sir Josiah's comment, General Dawes invited George N. Peek to correspond with Sir Josiah Stamp, through the Vice President as an intermediary. The American side of the correspondence was carried on by Mr. Peek and Mr. Chester C. Davis. The Vice President explained that he hoped to bring about a discussion confined strictly to the economic merits of the proposal. This interchange of comment continued until the final summary by Sir Josiah C. Stamp on May 13, 1926, during his visit to the United States.

Ashurst	Fletcher	Lenroot	Shipstead
Bayard	Frazier	McKellar	Shortridge
Bingham	George	McLean	Simmons
Blease	Gillett	McMaster	Smith
Borah	Glass	McNary	Smoot
Bratton	Goff	Mayfield	Stanfield
Broussard	Gooding	Metcalf	Steck
Bruce	Gould	Moses	Stephens
Cameron	Greene	Neely	Stewart
Capper	Hale	Norris	Swanson
Caraway	Harrell	Nye	Trammell
Copeland	Harris	Oddie	Tyson
Couzens	Harrison	Overman	Wadsworth
Curtis	Ilaves	Pepper	Walsh, Mass.
Dale	Heflin	Phipps	Walsh, Mont.
Deneen	Howell	Pine	Warren
Dill	Johnson	Pittman	Watson
Edge	Jones, Wash.	Robinson, Ark.	Wheeler
Edwards	Kendrick	Robinson, Ind.	Willis
Ernst	Keyes	Sackett	
Ferris	King	Schall	
Fess	La Follette	Sheppard	

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

Mr. PITTMAN. Mr. President, the Boulder Canyon bill is not a reclamation bill, and it is not a power bill. Its pendency is due solely and entirely to the necessity for flood-control of the Colorado River. Anything that is in this bill with reference to irrigation or hydroelectric power is purely incidental to the primary purpose of the bill, which is to control the flood waters of the Colorado River.

The Colorado River is peculiar among the rivers of the United States. All of our great rivers suffer from disastrous floods. It has been found possible, however, to protect against the destruction of the floods on most of the rivers through the use of levees. That is impossible on the Colorado River. This is due to the fact that the Colorado River for several hundred miles flows through a canyon varying in depth from 1,000 to 3,000 feet. The water is confined in that narrow, deep canyon. This canyon is several hundred miles long. The flood waters that come from the melting snows of Wyoming and Colorado and Utah find their way into this narrow channel, and come tearing through it with a force destructive beyond description. As they come through with that tremendous speed and power the flood waters tear down the banks and fill the river with silt. In fact, there is more silt in the Colorado River than in any other river in the United States. Every year that river discharges enough silt to cover 100,000 acres of land 1 foot deep with silt. In the last several years it has actually filled up a volcanic lake adjacent to the Imperial Valley.

After the river goes through this canyon that I have described to you, it comes out on a flat country. It comes out on what you might term the long beach of the Gulf of California. For at least 75 miles the land is almost entirely flat. It is a delta. It has been built up through the ages by the silt coming out of these canyons of the Colorado River. As the silt would fill up the bottom of the Colorado River, down toward this delta, it would overflow and build up the banks with silt, and then the bottom would build up with silt until it has actually elevated the river above the surrounding country. The river is running on a ridge for about 50 miles until it enters the Gulf of California.

To the west of the river is Imperial Valley—a valley that probably has as much land in it as all of the land area of the State of Rhode Island. Most of that land is from 100 to 200 feet below the sea level. Of course, it is an equal distance below the bed of the Colorado River, which flows along the rim of that sunken valley.

When the great floods have come efforts have been made to prevent the river breaking its banks into that sunken valley by building levees. Those levees are built of silt, and they are built on silt. It is material that is like the most impalpable sand. It caves and washes and changes. It is so unstable, sir, that in the course of the last 20 years the course of the river through this delta has changed several times; and along in 1906, in spite of the levees they had, when one of the great floods came down from the melting snows in the spring, the whole bank carrying the levee and all caved away and a vast quantity of the water of the Colorado started pouring into the Imperial Valley. At that time, sir, there was not much cultivation there. At that time the valley was inhabited by only a very few people. To-day there are 70,000 or 80,000 people in that valley, and several towns of good size. To-day there are three or four hundred thousand acres of the richest land in the world under cultivation.

It will be remembered that in 1906, when that great break came, the then President of the United States appealed to Mr. Harriman, of the Southern Pacific Railroad Co., whose railroad passed through the valley along the river, to use every effort to stop the break. One of the greatest efforts of that character was made. Mr. Harriman stopped running his

passenger trains on the Southern Pacific road. He loaded freight cars with rocks, ran them along the banks where the break was, and dumped the freight cars into the water, not having time to unload them, and after a long, serious fight the gap was stopped; but it was not stopped until a large portion of the Imperial Valley was made into an inland lake, known as the Salton Sea. If that break had not been stopped in the course of a short time, that whole beautiful valley would have been an inland sea, an inland sea for all time, because it could have been emptied only by pumping, as it is below the sea level.

The emergency of this thing is admitted. No one who is familiar with the facts denies the emergency. There is no engineer who has not reported that any flood, any spring, may tear down those weak banks and weak levees and inundate the valley. There is a chance, sir, that for seven or eight years they may stave it off; but all of the reports agree that the silt that is going down and filling the bed of the river in the delta will so fill up all of the available space for water surrounding the delta in seven or eight years that there will be nowhere for the river to go but into the Imperial Valley.

It must be apparent that there is only one way to protect the valley. There are lands in Arizona not so dangerously situated, because they are not below the level of the sea, that have been overflowed every now and then, that are protected in the same way, by miles and miles of levees—these are lands that will from time to time be devastated by these floods. It has been determined by all of the engineers who have investigated this river—and it has been under investigation ever since 1902—that there is only one possible way to prevent the destruction of Imperial Valley, and that is by holding back the flood waters of the Colorado River. The question is, Where shall they be held back?

There are some who advocate that the dam should be on the upper reaches of the river, in Wyoming or Colorado. There are others who believe that it should be at Bridge Canyon or at Glen Canyon, both canyons being above the proposed dam at Boulder Canyon.

What are the questions that must be determined in deciding where this dam shall be? Mr. Davis, who was the head of the Reclamation Service for years, who was its chief engineer, who for 41 years has been in the Government service as an engineer, and Mr. Weymouth, who has been with the Reclamation Service for 20 years, who has been its chief engineer, have made most careful studies of this problem. Mr. Hoover, who, under an act of Congress, represented the Federal Government in forming the compact among the seven States, has made a study of the problem. Those three engineers all agree on certain fundamental principles. They agree, in the first place, that the dam must be at a place where it will catch the flood waters. If it is built on the upper reaches of the river, then the flood water from the side streams that come in will reach the mouth of the river. It has to be built below where the great watershed exists. It has to have sufficient capacity not only to reduce the flood waters of the lower Colorado to a safe flow but to take care of the silt that will be deposited from the water in the storage reservoir back of the dam.

Under the report of these great engineers it will be necessary to impound 8,000,000 acre-feet of water every year during the flood season to make the river safe; and not only must that be done but it will be necessary to provide a storage space for this mud or silt to deposit in; and there should be, even above that, a reservoir capacity for some extraordinary flood such as has happened on rare occasions on that river.

Why was it that this site was selected? Because it is at the lower end of the canyon system of the Colorado River, and all of the streams that come into the river above the canyon will have their water impounded in the reservoir that this dam makes.

For what other reason did they select this site? Because it is one of the few dam sites on the Colorado River that has a sufficient reservoir capacity. It happens that the mountain range on the north side of the river, just above Boulder Canyon, has been eroded away by the action of the Virgin River. With the exception of that short space in there of probably 100 miles, both sides of that river for several hundred miles are walled in by these canyons from 1,000 to 3,000 feet in height. It would take a dam of immense height to obtain any storage in a canyon, but where there is this great eroded valley at this dam site at Boulder, we find that by a dam 550 feet in height a reservoir can be made that will be 100 miles long and in places 20 or 30 miles wide. It will have a capacity of 28,000,000 acre-feet of water, and for the benefit of those who do not understand what an acre-foot of water is, I will say that it means the amount of water necessary to cover an acre of land 1 foot deep. When I speak of 28,000,000 acre-feet of water,

therefore, I mean that there will be enough water impounded in that reservoir to cover 28,000,000 acres of land 1 foot deep. So the capacity can be realized.

This reservoir must serve not only the purpose of impounding these flood waters but it must take care of the silt. The testimony is undisputed that there is no economical way to get the silt out of one of these reservoirs when it is once deposited there. It is cheaper to build a new dam than to try to get it out. Consequently, if a reservoir for water is to be constructed, the builders do not want a reservoir that will fill up with sediment in 10 or 15 years. It has been testified that if the dam were built at Bridge Canyon, which is 120 miles up the river from Boulder Canyon, in 15 years' time it would be full to the top with sediment, although the dam would be 550 feet high, because it would only make a storage reservoir of 1,000,000 acre-feet, while 28,000,000 is required.

Even this reservoir, 100 miles long, with a capacity of 28,000,000 acre-feet, will in the course of time be filled up with silt. It is estimated that in 300 years it will be filled with silt. In 100 years it will be one-third full of silt. But by the time the 100 years have passed, yes, in my opinion, inside of 10 years, there will be numerous dams built up the river above that point, and then those dams will commence to take up a part of the flood water and part of the silt. So there will not be the necessity for so large a capacity in the Boulder dam reservoir site for storage, and it will thus be compensated for by being made smaller by silt.

The only reason for giving any consideration to irrigation and power is that it is the policy of this Government—and I take it a wise policy—to attempt to recover back its investments if possible. A reservoir could be built at Mojave, which is down the river much below Boulder Canyon. It is down where the hills are getting very small and low, toward the flat country. But it would cost almost as much to build a dam at Mojave sufficient to impound these waters as it would to build it at Boulder, because at Mojave there is not a narrow canyon; the dam would have to be much wider.

There is another thing to be taken into consideration. The total practical capacity of the dam at Mojave would be only 10,000,000 acre-feet, while the minimum amount of impounded water necessary would be 8,000,000 acre-feet. How long would that dam last? The silt would fill it up in a very few years.

Not only that but every dollar the Government put into that would be practically a gift, because the amount of land that may be irrigated from a 10,000,000 acre-foot reservoir, or the amount of power that may be created from a flat dam, is negligible. But here the Government is asked to build a dam 550 feet high, because it must have a capacity of 28,000,000 acre-feet so as to insure a long life for the dam and absolute safety to the lands below. But it happens that with a dam 550 feet high, with an immense reservoir back of it, such as this will be, the water that is naturally let down the stream for the purpose of equalization of the flow below it during the year will create 550,000 firm horsepower, and will create 1,000,000 horsepower on a 55 per cent basis.

Not only will it create 550,000 horsepower but it will hold back flood waters in addition necessary to protect the lower reaches of the river, and by the stabilization of the flow when the water is needed in the lower river it will irrigate over a million and a half additional acres of land.

What would be the result of this transaction? If the Mojave Reservoir should be built at a cost of \$28,000,000, the Government would never get back its money; it would not be beneficial to irrigation, it would not create power. If the Boulder dam is built, it catches practically all of the flood waters of the Colorado River; it catches all of the silt of the river; it gives storage capacity ample to protect against floods, leaving a margin over and above the 8,000,000 acre-feet, and at the same time not only aids in the development of the whole West by irrigation and power but it guarantees the return of this money to the Government dollar for dollar, with interest, in 25 years.

Let me place in the RECORD here just exactly what is said with regard to Boulder dam. I shall now read from the testimony of Mr. Weymouth, whom I have described. I do not think that Mr. Weymouth has any superior in the United States as a hydraulic and irrigation engineer. He has been connected with the Government Reclamation Service for 20 years. I read from page 96 of volume 1 of the hearings on the first bill introduced of this character, known as Senate bill 727. Mr. Weymouth said:

The foundation conditions and right of way difficulties at the Mojave Valley site are unknown.

The Bridge Canyon, Spencer Canyon, and Devil's Slide sites have only incomplete topography from which estimates can be made.

A reservoir at Boulder Canyon with dam constructed at the lower site in Black Canyon would have the following advantages:

It is readily accessible.

Foundation conditions at the dam site are excellent.

Construction materials of demonstrated suitability are available near the dam site in sufficient quantity for the construction of any dam considered.

In contrast with a reservoir at Mojave Valley it would not interfere with any proposed irrigation project.

Within the limits considered estimates indicate that storage can be created in Boulder Canyon Reservoir at less cost than at any other known site on the lower river, with the possible exception of a flood-control reservoir only at Mojave, which could probably be built at about the same cost.

It is a better power site than the Diamond Creek site developed to utilize the full drop in the river below greater reservoir capacity for the same raise in water surface, which increases the potential power; and, secondly, to the shorter distance to the principal power market, which makes power developed of greater unit value.

It is better adapted to development of power in connection with a flood-control dam than is the Mojave Reservoir on account of the greater head available.

In case of the larger reservoirs the area of water service exposed to loss through evaporation is less than at other sites.

It is so located as to control discharge from all important tributaries with the exception of the Williams and Gila Rivers.

It is the nearest to the lands to be benefited of any point on the river where it is feasible to construct a reservoir adequately providing for ultimate requirements of flood control, silt storage, and irrigation storage combined.

It is the most advantageous site at which the entire cost of construction can be repaid through the marketing of power developed incidentally at the dam site.

The dam site is adapted to raising a dam built originally for flood control alone to the height necessary to provide the required ultimate irrigation storage, or possibly to the height necessary to utilize the entire drop in the water between Diamond Creek and the dam site.

If a dam is built at the Mojave site it will inundate a large irrigable area of about 35,000 acres in a valuable portion of an Indian reservation, submerge a town which is the division point of a transcontinental railroad, and make necessary the reconstruction of 22 miles of main-line double-track of railroad, involving additional length of line. It will make necessary the reconstruction of a portion of a transcontinental highway. It is not a good power site. The site is not adapted for raising a dam to provide for ultimate storage requirements as economically as another site.

Something has been said about Glen Canyon. One must be familiar with the river to understand the contest between these various dams. Boulder Canyon dam site is situated about 400 miles from the mouth of the river. Two or three hundred miles below that is this Mojave dam site, about which we have been speaking.

The Mojave dam has already been turned down by all the engineers. It is not in question. It is hardly in dispute in this argument. In fact, I know of no one who brings it into dispute. Its capacity is insufficient and it would not pay. But there are three or four dam sites on the Colorado River in the Colorado Canyon above this dam site. Some of those sites have been contended for by Arizona and engineers representing Arizona. For instance, Glen Canyon, which is situated probably three or four hundred miles up the river as the river flows, above Boulder dam site, near the Utah-Arizona line, has been considered as a possible site for the impoundment of flood waters. Let us see what the engineers have to say with regard to Glen. I am reading now from page 91 of the testimony of Mr. Weymouth, given at the same hearing which I referred to previously:

At one time it was strongly argued by some that the best large reservoir site on the river is the one located at Glen Canyon, just above Lees Ferry, near the northern boundary of the State of Arizona. Two different dam sites were considered at Glen Canyon, one 4 miles and the other 9 miles upstream from Lees Ferry. The rock at both sites is a soft sandstone, massive in structure, but made up of exceedingly fine-grained quartz loosely cemented. The rock resembles in hardness the type of soft brick known as salmon brick. It crushes under shock, such as that of ordinary blasting, and small fragments can be crushed to sand between the fingers. The section of the dam is much larger than a dam for a reservoir of equal size at Boulder Canyon, and owing to the unfavorable foundation conditions in the larger section a dam at that point would cost from two and one-half to three times as much as one that would store an equal amount at Boulder Canyon.

Thus we see that Glen Canyon has not a suitable foundation, according to the testimony, and if it did have a suitable foundation the cost of the dam and impounding exactly the same

amount of water as would be impounded at Boulder would cost the Government at least twice as much. But that is not the only objection. Other tributaries come in with an immense flow of flood water and silt below the Glen Canyon dam site.

I read further:

Senator ASHURST. You surely do not mean to say—and I have a high regard for your opinion—that the idea of the construction of the dam at Glen Canyon is fantastic?

Mr. WEYMOUTH. Not for a low dam; no, sir. But I think it is nearly fantastic for a high dam.

Senator ASHURST. Do you think it too far to bedrock?

Mr. WEYMOUTH. The foundation is so soft. It is like soft brick, as I have described it. For instance, I went in there with a board of consulting engineers, and we did our best to get some of the best samples. We put them in our packages, and when they were opened that stone was all sand.

Senator ASHURST. How far down did you bore?

Mr. WEYMOUTH. In this particular case the Southern California Edison Co. was drilling in there, and they selected a site in the canyon walls where was located about the best rock that we could find. We shot the side wall a small charge of powder, and then we selected some for our samples of stone in that section. The stone there is not suitable to make gravel for concrete; neither would it be suitable for sand. So, if a concrete dam is built there, it would be necessary to ship the material in. Now, it may be possible to find suitable material for concrete about 18 miles downstream, but even so, we would be required to build on this soft foundation. So, in my judgment, it would not be safe to build a really high dam at Glen Canyon. A low dam could be built, but it would be very expensive. Neither would this sandstone be suitable for rock filling, because it would disintegrate into a sand pile.

Senator ASHURST. For practical purposes, you seem to treat Glen Canyon dam as fantastic.

Mr. WEYMOUTH. Not for a real low dam.

Senator ASHURST. I mean for a high dam.

Mr. WEYMOUTH. Yes; I certainly would.

Senator ASHURST. And you give that as your opinion?

Mr. WEYMOUTH. I do.

Mr. WEYMOUTH. Besides, there are apparently no suitable materials for a dam, either of concrete or rock-fill type. The material therefore would have to be hauled a long distance, 18 or 20 miles. The dam is inaccessible in comparison with other proposed reservoir sites. It is too far from the lands to be protected to serve adequately in the prevention of floods in the lower valley unless another reservoir is provided near the lands to be irrigated. Another very important reason is the distance of this site from the principal power markets, it being about 300 miles greater than from the Boulder Canyon. The cost of a dam at this site would be from two and a half to three times as much as a dam built to store an equal amount of water at Boulder Canyon.

Senator ASHURST. Have you been at Glen Canyon?

Mr. WEYMOUTH. Yes, sir. I went there in company with a board of engineers, with Mr. A. J. Wiley and Mr. Luis Hill and with Professor Ramsome, the geologist. We spent some time there examining the site.

Mr. WEYMOUTH. Yes, sir; since storage in the upper basin or at Glen Canyon does not meet the requirements, it follows that storage should be provided below the Grand Canyon National Park. Various dam sites that have been considered from the Grand Canyon National Park, named in their order downstream are as follows: Diamond Creek, Bridge Canyon, Spencer Canyon, Devil's Slide, Boulder Canyon, Black Canyon, Bull's Head, Mohave, and Parker.

The more important factors involved in the proper development of the entire section below the Grand Canyon National Park in the order of importance are as follows:

1. Adequate storage capacity for irrigation and flood control with a minimum evaporation loss.
2. Construction cost.
3. Maximum power output with maximum flexibility. This includes no needless sacrifices of head.
4. Minimum destruction of developed and undeveloped property.

A good reservoir site is a somewhat rare topographic feature. Satisfactory foundation conditions must exist at the dam site from the standpoint of strength, tightness, and depth. The reservoir should be large and must be tight so that the losses will be small. Other considerations are its accessibility, available construction material, and amount of evaporation from the reservoir surface. It is therefore not surprising that of the hundreds of proposed reservoir sites that have been investigated only a few are worthy of serious consideration.

He goes on further to say:

As no feasible storage possibilities with sufficient capacity exist above the Boulder Canyon Reservoir site, it follows that in order to ob-

tain a maximum product the plan adopted must be a compromise between a sacrifice of operating head and of storage capacity. The best use of Colorado River power is possible only with a large storage reserve at a strategic point that will permit a flexible power output.

So much for Glen Canyon. Now I wish to turn to Bridge Canyon. Bridge Canyon has been considered by Arizona as a point of diversion of enough water to irrigate 3,000,000 acres of land in Arizona. The plan provided for the storing of water at Glen Canyon, the raising of the water to a height of 900 feet by a dam at Bridge Canyon, a canal 656 miles long, and a tunnel 82 miles straight through the mountain. Mr. Weymouth and other engineers testified with regard to this proposition. They testified that it would cost between \$600,000,000 and \$700,000,000; that it was a visionary scheme, in other words. As a matter of fact, I would not expect any argument to be made in favor of that proposition on the floor of the Senate, because there is nothing to substantiate the plan. And yet, as much as I regret to say it, the evidence discloses that unless the so-called high-line scheme of raising the water by dam 900 feet high, digging a tunnel through a mountain 82 miles long, and carrying water then 656 miles, at an expense of between \$600,000,000 and \$700,000,000 is feasible, then there is no place that Arizona can get any water above Boulder Canyon.

Unfortunately there are certain physical conditions which make against both Arizona and Nevada. We do not have sufficient land lower than the level of the river. We do not have sufficient land in the low regions of the river. There are hundreds of thousands of acres of open fertile Government land in Nevada which is as rich as any land in the Imperial Valley if we could get water on it. Why can we not get water on it? It is because the Colorado River is at the bottom of a canyon from 1,000 to 3,000 feet deep and there is no way of getting that water through those great walls without a tunnel. It is totally infeasible and impracticable. When we get below the canyon area, when we get below Boulder Canyon and the foothills break away and the valleys begin to appear, then we find the evidence to show that 298,000 acres of Arizona land is capable of being irrigated by gravity with water impounded in the Boulder Dam. We find that from the water impounded in Boulder Dam and let out of the reservoir, Arizona can pump to irrigate 600,000 acres more of land. But as far as I can see Arizona can no more be benefited than can Nevada by a dam farther up the Colorado River. It is not a question of where the dam may be located. It is a question of where these great mountain ranges are on each side. They are there.

Now, let us turn to Bridge Canyon and see what has actually been said with regard to it. I refer now to Mr. Weymouth's testimony, volume 4, page 481. What did Mr. Weymouth have to say about the Bridge Canyon dam site? The proposed Bridge Canyon dam site is about 127 miles above the Boulder Canyon dam site, and the proposed Boulder Canyon dam site will not flood the Bridge Canyon dam site. In other words, the building of the Boulder Canyon dam would not interfere with the building of Bridge Canyon dam or any other dam, but here is what the engineers have to say with regard to Bridge Canyon dam, as found on page 486, volume 4, of the hearings:

Mr. WEYMOUTH. I am basing that statement upon a table, on page 72, I think it is, of the La Rue report, where he states that there is no storage available for flood control or storage by dam of that height, but on a diagram in his report he shows for a dam 550 feet about a million and a half acre-feet, but the engineers in the Reclamation Service, with the data that we had available, find with a dam 900 feet only 1,000,000 acre-feet of storage. Now, there may be some difference in the basic data. He might have more topographic information than was furnished the Reclamation Service, but the table of Mr. La Rue is on page 72.

Take the estimates of either Mr. La Rue or the Reclamation Department and it makes no difference in the result whether the dam is 550 feet high, as Mr. La Rue propose at Bridge Canyon, or 900 feet, as the Government engineers say it will have to be. It would only produce 1,000,000 acre-feet of storage. Of course, 1,000,000 acre-feet of storage amount to nothing in the case of the Colorado River. The minimum is 8,000,000 acre-feet of storage for flood control and that is a dangerous minimum. As a matter of fact, it is necessary always to have a little leeway in case of some unusual flood. When you realize, Mr. President, the peculiar character of the floods in that river you will understand what is meant by that statement. The water flow of that river varies from 250,000 second-feet to 8,900 second-feet in low water.

Mr. KING. Is it not 210,000 second-feet?

Mr. PITTMAN. No; 250,000 second-feet. Now, let us stop to think about that. Here is a river which at one time flows 9,000 second-feet of water, we will say. Nine thousand second-feet of water means 9,000 cubic feet passing any given point

in a second. So one can get an idea of what that volume of water is; and yet when it comes to the flood season it frequently goes to 200,000 second-feet in the same river where the flow was once but 9,000 second-feet. The average flow of the river is only 20,000 second-feet. When one stops to think of a river whose average flow in its banks is 20,000 second-feet, increasing to 200,000 second-feet, he gets some idea of the difficulty of controlling that river. There are reports that the river has at times, as shown by watermarks, even reached 500,000 second-feet. That, however, is not authenticated, because the reports which come in are not from Government sources.

Mr. KING. Mr. President, will the Senator from Nevada permit an interruption?

The PRESIDING OFFICER (Mr. Tyson in the chair). Does the Senator from Nevada yield to the Senator from Utah?

Mr. PITTMAN. I yield.

Mr. KING. Recurring to the statement made by the Senator from Nevada concerning Mr. La Rue's estimate, my recollection is that Mr. La Rue advocated a dam not in Boulder Canyon but at a higher point on the river, and suggested, of course, a number of dams, one to be at Lees Ferry. I should like to ask the Senator from Nevada for information as to that point, for my recollection is somewhat hazy and it is not quite in harmony with the statement made by the Senator.

Mr. PITTMAN. My recollection is that he provided for three dams, and that the storage dam was to be at Glen Canyon.

Mr. KING. And that would contain more than a million acre-feet of water?

Mr. PITTMAN. Oh, yes; there is no question about that. The storage dam was to be at Glen Canyon, which is near the line of Utah and Arizona, 400 or 500 miles up the river above Boulder Canyon as the river runs, and below that he was to have two other dams, both of them very close to where Bridge Creek is. They were to be at Bridge Creek. The Bridge Creek dam was to serve two purposes—power and diversion of water, if possible, into Arizona. Mr. La Rue contended that there would be a saving of 400,000 horsepower in that stretch of the river by that procedure. In answer to that, as I read here, the Government engineers, Mr. Weymouth and Mr. Davis, contend that there is no foundation for a storage dam at Glen Canyon; that an examination of the rock shows that it will not stand the pressure. I just read their statement. They also contend that a storage dam at Glen Canyon would be above the Little Colorado River and the Virgin River, and therefore would not catch the flood waters of those rivers or the silt that comes out of those rivers into the Colorado River. That was the difference between those two engineers.

Mr. KING. However, in the aggregate the storage which Mr. La Rue's plan provided would be substantially as great as the storage which it is contemplated will be possible at the Boulder Canyon or Black Canyon.

Mr. PITTMAN. Yes. I do not think that Mr. La Rue and the Government engineers differed as to what the capacity of the reservoir should be. It seems that La Rue felt that the increase of 400,000 horsepower would be more valuable to the Government than the catching of the silt and flood waters of the Little Colorado and the Virgin Rivers. That was the difference of opinion between those two engineers.

Mr. President, we come now to the proposition as to whether or not this bill is fair to the States of Arizona and Nevada, whether it is in accord with the original theory which brought about the convention of the seven States looking to the seven-State compact. I think that the contention of Arizona is correct, in that it was the original intention to allocate equitably the waters of the Colorado River among the seven States in the Colorado River Basin; but after months and months of meeting it was found very difficult to allocate to each State its portion of the water. As the upper-basin States, namely, Wyoming, Colorado, Utah, and New Mexico, were not ready to use their water, were not prepared to estimate how much water they wanted, and as the only immediate development which was going to take place affected directly the States of Arizona, California, and Nevada, it was agreed that the waters of the Colorado River should be divided into two parts; that there should be allocated to the upper-river section, consisting of the States I have named—Wyoming, Colorado, Utah, and New Mexico—7,500,000 acre-feet of water, and that an equal amount should be allocated to the three lower States—Arizona, California, Nevada—with the possible right to 1,000,000 acre-feet more, which was put there for the purpose of settlement.

If we go back to the original theory that each State was to have an equitable proportion of that water by reason of the sovereignty of States over water, then naturally it follows that it was the intention when this compact was made giving half the water to the lower States and half to the upper States

that there should be an apportionment between the lower States and that in the future, when the upper States desired to use their water, there should be an apportionment between the upper States. That apportionment has been attempted as between Arizona, California, and Nevada. Numerous meetings have been held for the purpose of getting together in the matter; but so far no agreement has been reached.

I can state Nevada's position in this matter. I do not know what will be the position of Arizona. While Nevada would be entitled, sir, to one-third of the water allotted to the three lower States if it had the land upon which that water could be put—and in that case I would insist on it—it unfortunately happens that the land in Nevada is so situated with relation to that water that we can utilize it for the irrigation of only the small amount of 15,000 acres. Therefore, it would be unreasonable for us to deny the use of the water for irrigation where it could be used for irrigation whether that be in Arizona or in California.

Mr. ASHURST. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Arizona?

Mr. PITTMAN. I yield with pleasure.

Mr. ASHURST. If I understood the able Senator aright, he stated that Nevada would claim from the waters of the Colorado River all or as much thereof as might be necessary to irrigate her irrigable lands, even if it went to one-third of the river, if such were physically possible.

Mr. PITTMAN. I do not know that the Senator has exactly expressed my idea. If we could get the water on the land, we would claim it. We have about 15,000,000 acres of rich valley lands, but we are unable to get the water on them.

Mr. ASHURST. Will the Senator further yield?

Mr. PITTMAN. I yield.

Mr. ASHURST. Since the Senator frankly states—and I honor him for his statement—that if they could get the water from the Colorado River on their irrigable lands they would do so, I will state that Arizona has 3,000,000 acres of land upon which the water may easily be placed from the Colorado River; but the Boulder Canyon bill only allots to her water sufficient for about 150,000 acres. Can not my able friend see, therefore, some justice in Arizona's position, when he himself asserts that he would claim for his State enough water to irrigate the whole 15,000,000 acres? Does he blame Arizona for claiming from the waters of that river enough to irrigate her irrigable lands?

Mr. PITTMAN. Where would the Senator divert that water?

Mr. ASHURST. At Bridge. I thank the Senator. I should not have interrupted him.

Mr. PITTMAN. I said that I would claim water for the 15,000,000 acres up to one-third of the water if it could be placed upon the land. Mr. Weymouth testifies that 298,000 acres can be irrigated by gravity from Boulder water and 600,000 acres by pumping in Arizona.

I have already stated what the engineering commission said about the feasibility of diverting water at Bridge, but right at this point I will read what they said. This is from Mr. Weymouth's testimony, on page 476, part 4, of the hearings:

Mr. WEYMOUTH. The members of the board signing the report are Spencer Cosby, who is a colonel in the Corps of Engineers, United States Army; W. Kelley, chief engineer of the Federal Power Commission; E. B. Dabler, engineer of the Bureau of Reclamation; and Herman Stabler, chief of land classification branch of the Geological Survey; Walker R. Young, engineer of the Bureau of Reclamation, and myself. I might say this particular letter refers to the engineering report of Sturdevant and Stam, which was filed with your committee a few days ago. The report, of which I will read the major portion, is as follows:

"In accordance with your request, the committee of engineers appointed by you to consider the problems of the Colorado River has the honor to submit the following report on the canal project set forth in the report of G. W. Sturdevant and E. L. Stam, dated September 18, 1923:

"This project is a proposal to divert water from the Colorado River at or near Spencer Canyon for the irrigation of 3,500,000 acres of land in southwestern Arizona.

That is the project with which the Senator says they could irrigate 3,000,000 acres of land.

"The canal, with an intake elevation of 2,000 feet, would be constructed down the canyon to a few miles above Grand wash, thence by alternating tunnels and open channels it would extend in a south-westerly direction across Grapevine Creek, Hualpai wash, and Detrital or Squaw wash, and the intervening mountain ranges to the western slope of the Black Mountains about 5 miles east of the old Eldorado Ferry; thence down the west slope and around the southern extremity of the Black Mountains, crossing the Santa Fe Railroad about 3 miles south of Yucca Station; thence down the east side of Sacramento Valley and

through a long tunnel to the Williams River Valley at the head of Mohave Creek; thence up the Williams Valley, crossing Big Sandy and Santa Maria Rivers about 10 miles above their junction; thence in a southwesterly direction across Data Creek and Bullard wash, under a low divide into Butler Valley, and down the west slope of Harecura Mountains to a crossing of the Santa Fe Railroad about 3 miles east of Vicksburg Station. Here the main body of irrigable land would begin and the first main lateral would branch off.

* * * * *

"The low-water level at Spencer Canyon—

That is, Bridge Creek—

as determined in the survey made by the Geological Survey during the past summer, is 1,112 feet. It will therefore be necessary to construct a dam for diversion about 900 feet high above low-water level. It is not known how far below water level satisfactory foundations can be found.

"With our present knowledge of the principles of dam design, it is questionable whether a dam from 900 to 1,000 feet high, developing stresses within ordinary allowable limits, is practicable or economically feasible. It is known that the upper 200 feet of this dam would have shale abutments, which probably would not be found permissible in a dam of this character.

"There is still to be considered a difficulty which is perhaps the most serious of all—the operation of a canal system 700 miles long with 500 miles of main canal in rough, mountainous country. The difficulties of handling a river with three times the low-water flow of the Colorado River along canyon walls, rough lava mountain slopes, and across wide detrital washes for 500 miles are hard to visualize, and one break in this canal would mean the shutting off of water to this entire area for a period which would ruin crops. A storage and regulating reservoir on the canal line near the irrigable area of sufficient capacity to tide over such an emergency or, indeed, to meet ordinary requirements in operating so huge a system, seems to be unavailable, and no mention of such a necessary adjunct to the system has been made by the promoters.

"Messrs. Sturdevant and Stam state that the construction cost of their project, including dam, high-line canal, and lateral canals, will be \$200,000,000. It is believed that the actual construction cost of such a project, if indeed it is feasible at all, would far exceed this estimate.

"We consider that this project is inadvisable and is not worthy of serious consideration."

Senator SHORTRIDGE. What is your idea as to the approximate cost of that canal?

Mr. WEYMOUTH. More money than there is in the world, I guess.

Senator SHORTRIDGE. Well, that, of course, is an answer; but have you made any approximation as to the total cost?

Mr. WEYMOUTH. We tried to make some estimates and I judge it would be at least six or seven hundred millions of dollars.

Mr. SHORTRIDGE. Mr. President, Mr. Weymouth was testifying there concerning Bridge Canyon, was he?

Mr. PITTMAN. He was testifying with regard to Spencer Canyon, which is at the same place with the Bridge Canyon dam site. They are right together. Sometimes one of them is called Bridge, and sometimes the other is called Spencer, just as we have Boulder and Black Canyons. They are practically together.

Mr. NORRIS. Mr. President, how far is Bridge Canyon from the site of the proposed Boulder dam?

Mr. PITTMAN. Bridge Canyon is 127 miles upstream above Boulder, and the water impounded by the proposed dam under this bill would not reach the base of Bridge Canyon. In other words, the building of this dam will not interfere with the building of the Bridge Canyon dam or the Diamond Creek dam or the Glen Canyon dam.

Mr. NORRIS. Where is that?

Mr. PITTMAN. The Diamond Creek dam site is still farther up the river.

Mr. NORRIS. No one of the dams the Senator mentions would interfere with any of the others?

Mr. PITTMAN. Not at all, sir; not one of them.

Mr. NORRIS. Of course, in order to get the maximum amount of benefit they all ought to be built.

Mr. PITTMAN. They will. The engineers' testimony is to the effect that the proposed construction of Boulder dam is such as not to interfere with the plan of dam sites laid out on the river all the way up. The only difference is that there are those—namely, the "high liners" of Arizona—who had the visionary idea of irrigating 3,000,000 acres of land by this 900-foot dam at Bridge Creek, 700 miles of canal and 82 miles of tunnel, at a cost of \$600,000,000. It would possibly interfere with Bridge Creek if the dam at Boulder were built sufficiently high, but a 550-foot dam would not reach anywhere near the base of the proposed Bridge Creek dam.

Mr. NORRIS. As I understand, they could even build the dam at Boulder Canyon to a height of 600 feet or more without interfering with the other dam.

Mr. PITTMAN. It would have to go to a height of 690 feet before it would interfere with Bridge.

I return now to the argument I was making before, and that is this: I say that I have great sympathy with many of the contentions of Arizona. I maintain that a State has sovereignty over the water within the borders of the State. That has been recognized from the beginning of our Government. It has been reaffirmed by Supreme Court decisions. As I said before, and I repeat, the very object of having a convention of the seven States was to allocate equitably the benefits of the water. Their intentions were, as I said before, to allocate the water to every State; but they found out that the upper States were not ready to use their water, and the lower States were. Consequently they divided it in two, with the expectation that the lower States would enter into a compact among themselves. They have tried to do that and they have failed. The question that I must consider in this connection in behalf particularly of the citizens of my own State is, Is this bill unfair to my State?

There are two benefits to be derived from the building of this dam outside of flood control. Flood control, of course, is the dominant purpose of it; but, as affecting my State and as affecting portions of Arizona, we are interested in the incidental benefits, which are power and irrigation.

I had stated, when interrupted by the Senator from Arizona [Mr. ASHBURST], that if we had sufficient irrigable land in the State of Nevada that could be irrigated from the water impounded behind this dam, I should insist that Nevada have one-third of that water, because that is the theory upon which we entered into this compact; but it happens that the topography of our State is such that we can only put this water on 15,000 acres. We can not do it because between our land and this reservoir there is a high mountain range. It would be necessary for us to have an 82-mile tunnel run from this reservoir through the mountains to get even to our lowlands. We do not consider it feasible or practicable. We consider it visionary and absurd. Therefore we come down to the proposition that on behalf of the State of Nevada we are not contending with regard to the water.

The Senator from Arizona has said that they are contending for the dam at Bridge Creek, so that they can get enough water to irrigate 3,000,000 acres of land.

[At this point a message was received from the House of Representatives, which appears elsewhere in to-day's RECORD.]

Mr. PITTMAN. Mr. President, at the time I was interrupted I was dealing with the apportionment of water between the three lower States. I have already said that as a matter of right each of the lower States has a right to one-third of the water that it can use for irrigation. We can not use much water for irrigation and we are not demanding any more than we can use.

I hold that in a matter of this kind, where it is almost essential that the States should not violate the principle of State rights, no State should make a demand with regard to the waters which are mutual and beneficial beyond that amount which it can profitably and economically use. I do not see why there should be any dispute with regard to water under this bill.

The bill does not grant any water to anyone. The bill can not grant any water to anyone. It does make the water in existence available for irrigation and power, because it provides for the storage of the flood waters for use in irrigation during the irrigation season.

Under the law which gives the States sovereignty over the water within their borders, the water can not be removed without permission of the States. But of course a peculiar situation is met where there is a river forming the dividing line between two States. In such case both States have an equal sovereignty in the water running between them, each of them, possibly, to the middle of the river. But how can one of them control the amount of water the other may take out of that river? California may take out of the Colorado River all the water that has not been appropriated when the river reaches a point in California, and so Arizona may, on its side of the river, take out of the river all the water that has not been appropriated.

That goes to show that there is bound to be an interminable dispute between States unless we can reach some agreement. Already there have been lawsuits between States bordering on the Colorado River over the question of the equitable allocation of the waters of the river. That is the very reason why we got the seven States together, to try to agree on a permanent allocation of the water.

Mr. DILL. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. DILL. What is the Senator's suggestion as to what this bill should do, if anything, to prevent the added water that will flow into Mexico from being used by Mexico and acquired for her land under the comity of nations?

Mr. PITTMAN. I want to read an answer to that by a very eminent engineer.

Mr. DILL. While the Senator is looking for that, I may say that on the investigating trip of the committee the one thing that impressed me about Arizona's contention was that while she was not able to use the water now, she hoped to be able to use it at a future time, but in the meantime the water would be flowing into Mexico, it would be applied on Mexican lands, and under the comity of nations the right to it would be acquired, and Arizona would be forever deprived.

Mr. PITTMAN. The Senator, by asking the question, and by injecting the argument, has brought up two or three questions to be answered, and I will try to remember them all as I go along.

In the first place, as was stated by Mr. Hoover when he was asked that very question, I think by the Senator from Washington, when he was on the stand before the Senate committee, the same amount of water would flow down to Mexico, no matter where the dam was built. If the dam were built at Boulder, whatever was lost at the dam and was not intercepted would flow down to Mexico. If the dam were built at Bridge Creek, whatever water was lost at the dam would flow down to Mexico unless it was intercepted. Consequently, the only way to prevent waters from flowing down to Mexico is to intercept them. This bill proposes an all-American canal which will intercept a great portion of that water. It will not intercept all of it. But all of it can not be intercepted in any way unless there is land to put it on.

The Bridge Creek dam would do no good. If the water were impounded at Glen Canyon and diverted at Bridge Creek into Arizona, then it could be prevented from going down to Mexico, and at the same time it would be prevented from going down to California, because the amount of water they ask for the 3,000,000 acres of Arizona by diversion at Bridge Creek dam is 15,000,000 acre-feet. But there is no use in arguing that method of preventing it from going to Mexico, because the testimony of all of the engineers shows that it is unfeasible and can not be done. The proposition of building a dam 900 feet high at Bridge Creek and carrying the water through a tunnel as big as an apartment house for 82 miles, then carrying it in a river for 600 miles, across great canyons and gulches, in the most mountainous country in the world, is perfectly absurd. The lowest estimated cost would be \$600,000,000.

If the water can not be intercepted there, there is a place where some of it can be intercepted, and that is referred to in this report; that is, by building an additional low dam down the river below Boulder Canyon, where some power can be created if the water is stored at Boulder. The water will be raised a hundred feet, and by pumping 200 feet 600,000 acres of good land in Arizona can be irrigated. But this can only be accomplished by storing the water at Boulder dam, for there is no storage below, and by utilizing the cheap power generated at Boulder dam that 600,000 acres in Arizona, together with the two million-odd acres already provided for under this bill, would take care of the situation, so that there would not be very much water going to Mexico.

Mr. DILL. Mr. President, does not the Senator think that we might well put a provision in this bill giving notice to Mexico that we reserve for the use of lands in the United States all added waters flowing in as a result of this dam; and would that be effective?

Mr. PITTMAN. My view of the law is that whether we give notice to Mexico or do not give notice to Mexico in the matter, we have an equitable right, as well as a legal right, to all of the increased flow of the river caused by our work and our expense, and I have never heard that proposition legally contradicted.

Mr. DILL. I want to say to the Senator that that is the one phase of this situation that concerns me. I do not want to see legislation enacted that will allow Mexico to acquire a right to the use of this water under the comity of nations, water that could possibly be used some day by the lands in the State of Arizona. I should like, if possible, to take steps in this legislation, by some such provision as I have mentioned, to prevent Mexico doing that, at least without notice. It seems to me it is extremely important that the State of Arizona should some day have the right to use the water that can be used on her land.

Mr. JOHNSON. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. JOHNSON. May I say to the Senator that the only method by which the water that flows into Mexico can be controlled is by the bill that is before us, by a high dam at Boulder Canyon. Let me say, too, that this is recognized in some degree by the various departments of the Government. Pending here now is a resolution asked for by the Secretary of State and the President for the extension of the powers of a commission which deals with the Rio Grande, and which the Secretary of State asks might deal as well with the Colorado. Collect the necessary data, and then endeavor to negotiate with Mexico concerning the waters of the two rivers. This bill, particularly the all-American canal, will be a great aid to such negotiations and will be persuasive with Mexico in making a fair treaty. The Senators from Arizona objected to the consideration of that resolution. I want the Senator to have that in mind.

Mr. PITTMAN. Of course, I would have no objection at all to seeing an amendment of that kind put on. While it might not affect it legally, it might save Mexico making some mistakes. I have no doubt whatever but that the United States is going to assert its legal right, and that legal right certainly is to use all of the storage water that it creates. That equity even exists as between individuals in our own country, and that equity and that legal right will be enforced against Mexico.

But I want to get back to the question of water. I say that the question of water should have nothing to do with the consideration of this bill, in view of the undisputed evidence. I take it that the undisputed evidence in this matter is that the State of Nevada could not irrigate over 15,000 acres from the waters that flow down there under any conditions.

I might say, "Give me, on behalf of the State of Nevada, one-third of the water, so that if in the future it becomes practicable to pay a thousand dollars an acre to pump water into the land, it would be possible to do it." I do not want to do that. I do not want to block development by any kind of visionary or unreasonable demand. So I say that we can not use the water, and we do not demand a third of it.

The evidence in the case shows that Arizona can not irrigate more than 298,000 acres by gravity water, because the only way she could use more than 298,000 acre-feet by gravity would be from Bridge Creek dam under conditions which board after board of engineers have declared unfeasible and practically absurd. Therefore, what water does the bill take away from Arizona? If a diversion dam is built at Parker down the river below there, and Arizona could get cheap power with which to pump, she could, of course, increase her irrigable acreage by virtue of impounding the water at Boulder dam by 600,000 acres. But that is the limit for Arizona. When they pump for 600,000 acres they will pretty nearly have exhausted the limits of the supply of water allotted to the lower States. So in my opinion the bill does not deprive Arizona of any water but makes available water for an additional 1,000,000 acres in Arizona.

We come back then to the proposition of power. As I said in the first place, irrigation and power are only incidental to the purposes of the bill. The bill would not justify being presented here to-day if it were not that we are following the policy of the Government of protecting against destructive floods of its rivers over which it has control. A dam must be built, because it is the only method by which we can prevent the destruction of human life in Imperial Valley. If a dam is built, under all the evidence at the present time there is only one place to build it, and that is where it will intercept the flood waters, and not only that, but where there will be a reservoir to store those waters. There is but one place that will intercept the flood waters and furnish a reservoir to store them, and that is Boulder Canyon dam site, and there is no dispute about it. There is no question that when we provide a reservoir site of sufficient capacity to protect against all danger, which is 28,000,000 acre-feet, and fill it, that part of the water has to be let off to make room for the flood coming the next season, and with this surplus water power will be generated.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. PITTMAN. I yield.

Mr. NORRIS. I am very much impressed with the frank and honest way in which the Senator is discussing the question, but I want to ask him a question which carries on the statement that there is only one way to prevent disaster, and that is by building a dam which will have storage capacity and will be far enough down the river to intercept the waters which cause the destruction, which site he has stated is located at Boulder Canyon. Is it not true that it is inevitable in time—while we

can not say when, whether this year or next year or 10 years from now—this destruction must come, this damage by flood must come, unless the flood waters are held back by a dam?

Mr. PITTMAN. Absolutely.

Mr. NORRIS. Is it not true that it is going to be a physical impossibility to prevent destruction coming some time by the construction of levees and embankments, because the river itself is building itself higher and ultimately it will go above any possible embankments that men can put there?

Mr. PITTMAN. There is no doubt about it at all. The evidence on that subject from every source, from those who favor the bill to those who oppose it, from those who favor a dam at Boulder to those who oppose it, is that nothing can prevent the inundation of Imperial Valley within six or seven years as a certainty, and possibly sooner, except the impounding of the flood waters and the desilting of those flood waters. The reason for it is perfectly simple. When the water breaks out of the seven or eight hundred miles of canyon, through which it comes roaring and tearing down, bringing silt with it, as it reaches the flat country of the Gulf of California the silt deposits in the bed of the river itself and the bed rises, and the river overflows the banks and drops the silt on the banks, and the banks rise, and we have a continual process of rising until to-day we have the peculiar situation of a great river running on a ridge. The river breaks off of this ridge and cuts another channel and then breaks out of that channel and cuts still another channel, until it has made a vast delta 20 or 30 miles wide by 50 miles long, where it is impossible to tell the location of the channel. At the present time they have dug a little channel which will last probably six or seven years. It may fill up in a year. But when that is gone, all the engineers testify that it is the last possible channel except to go into the Imperial Valley. Consequently we face the situation that unless we can hold back the flood waters we are going to have, within six or seven years, an inland sea or lake in the Imperial Valley, because it is 300 feet below sea level.

It is not a visionary thing. It came near being an inland lake in 1906. It would have been a lake at that time except that the Southern Pacific Railroad Co. took off all its passenger trains and dumped trainload after trainload of rock into the gap. Even then they had the beginning of a salt sea there, and it would all have been a salt sea in a few more weeks. They never could have stopped it even in that way except that the break occurred right under the Southern Pacific Railroad. If it had occurred anywhere else we would not have been discussing the Imperial Valley to-day. We would have had a lake there that could never have been dried up.

Mr. NORRIS. Mr. President, I think, if the Senator will permit an interruption, that he ought to call attention to the fact that these breaks where the levees must be built are in Mexico, and that to protect the Imperial Valley we have to put these improvements on land which is under a foreign flag.

Mr. PITTMAN. It has been testified by Mr. Davis, who was for years head of the Reclamation Service, that the United States was not permitted to take any part in the building of those levees in Mexico. No American officer was permitted in there for that purpose. It became necessary for us to organize a corporation to carry out a subterfuge and the United States Government to furnish the corporation money to allow it to go into Mexico and build the levee on that river. We have no control, as we should have, over the levees. The levees are made of silt—silt that melts away often like fog. Every year the high waters lean against those levees, and it is just a question of moments sometimes whether they will pass out. But whether they hold or do not hold, the life of Imperial Valley is only seven years long unless we stop the silt from going down there. The only way we can stop the silt from going down there is to impound the flood waters below these rivers which throw in the floods and the silt and let that silt settle in the reservoir. If it continues on down through the channels which are there now, in seven years' time there will be only one channel, and that will be the Imperial Valley.

They speak of a reservoir at Mojave. I have read the evidence. Ten million acre-feet is the capacity there. The water deposits at the rate of 100,000 acre-feet of silt a year. In a few years it would be full. Every engineer of any consequence has testified that the only safety is to reduce the flow of the water to the Imperial Valley so that the river will always be within its banks, not even resting against the levee. The only way we can do that is to reduce the flow to not to exceed 40,000 second-feet. That means 40,000 cubic feet of water passing a given point within a second. We must have a large-capacity reservoir to do that, when we realize that the flood waters of the Colorado River are sometimes 200,000 second-feet of water. The average flow is 20,000 second-feet, while the flood flow is 200,000 second-feet, ten times as great.

As I have read here, it was essential that the Government find certain things meeting. In the first place, they had to find a dam site on the river that was below the rivers which flow into the Colorado and bring their silt and their flood. That meant that it had to be at the lower end of the canyon. Others had urged that we should have the storage in the upper States of Colorado or Wyoming. But all of the engineers stated that they could not find up there a dam site with a reservoir capacity—in some cases to hold the water, and in other cases where they had the site with capacity they did not have the water. Mr. Davis testified that it would be an outrage upon the upper tier of States to put the storage reservoir there, because it would deprive the upper States of using the reservoir site freely for irrigation of their own land. They would be governed rather by flood control than by irrigation.

Then, having determined that the site had to be down the river, they went to the end of the canyon, and they had to find some place in the canyon where there was a sufficient foundation for a large dam. They tried Glen Canyon, but the rock was soft like brick, so they could not use it. If they put it at Bridge Canyon or Spencer Canyon, it would be right in the middle of the reservoir site instead of at the lower end of it. If they put it at Boulder Canyon, it would be at the lower end of the great reservoir, and the only great reservoir at the lower end of the Colorado River. So they selected that site.

When that water is backed up there will be a space back of the dam in the reservoir of 5,000,000 acre-feet to take care of the depositing silt. There will be a layer of 15,000,000 acre-feet for irrigation, and above that there will be a layer of 8,000,000 acre-feet to store the flood waters. As the silt decreases the size of the reservoir, as it will, it does not decrease the storage. It possibly eats into the irrigation supply.

But what takes place? In four or five or six years other dams for irrigation and power are constructed higher up the river in Wyoming, Colorado, and Utah. Then much of the flood waters will be held up there, the silt will be partially held up there, and there will be more space in the reservoir at Boulder dam for irrigation. So it equalizes itself and there will be this situation.

The only complaint that has been made against it is that the bill is unfair in that it takes something away from somebody. So I have dealt with the water question. I contend that Nevada has an equal right with Arizona and California to the water of the lower States if the compact means anything; but I do not believe that it is reasonable or just or to the interest of the lower section that one-third of that water should not be put to a beneficial use; and Nevada can not use one-third of it; we can put to beneficial use but a very small quantity of the water. I want that water to be put to a beneficial use. I want Arizona to have every gallon of water that she can put to beneficial use. If I thought that Arizona would not get every gallon of water that she can put to beneficial use under this bill, I would not vote for it. I have looked in vain to find where or how any of that water is to be taken away from Arizona. I have been looking to find any evidence at all in any of the hearings that Arizona can use any more water than for 298,000 acres by gravity anywhere in the State from any source on the Colorado River.

Mr. KENDRICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Wyoming?

Mr. PITTMAN. I yield.

Mr. KENDRICK. I desire to ask the Senator whether he believes in case this bill should be enacted into law and Arizona should remain out of the compact, as she is out of the compact at the present time, that it would in any way adversely affect her rights to her water in the Colorado River or its tributaries?

Mr. PITTMAN. It would not do so in the slightest degree. I have no doubt about it. If a dam shall be built at Boulder Canyon it will impound certain waters and equate the flow below. The water below will be subject to appropriation and use by both California and Arizona, and Arizona, according to the evidence, can use water for 298,000 acres by gravity, and she can irrigate 600,000 acres additional by pumping; that is all; and in California there can be an additional three hundred or four hundred thousand acres irrigated. That is all.

Mr. KENDRICK. In other words, the compact between the States which ratified deals only with such equities as the respective States have in the water and will not interfere in any way whatsoever with the right of those States which failed to ratify?

Mr. PITTMAN. In other words, there is nothing in this proposed legislation that could prevent Arizona from appropriating from the Colorado River within her borders all of the water she could use for irrigation.

Mr. SMOOT. Mr. President, that does not apply in toto, I will say to the Senator. It is understood that 7,000,000 cubic feet of water must be used in order to operate the plant, but to operate the plant fully, if this proposed legislation shall be carried into effect, will require 12,000,000 cubic feet of water. If that 12,000,000 cubic feet, which is over and above the agreed amount shall be used, the appropriation of the water will run against the upper States. Who is going to lose in that event? I do not know whether it will be Arizona or whether it will be Utah, but perhaps it will be both of them. I think that is admitted.

Mr. PITTMAN. The Senator from Utah is getting off the question that was asked here, but it is along the same line, so it is all right. The Senator from Wyoming [Mr. KENDRICK] desired to know whether Arizona would be injured by the enactment of this bill into law or whether any rights which she now enjoys would be taken away from her. I replied no, so far as the upper States are concerned, for there are 7,500,000 acre-feet plus a million acre-feet allotted to the lower States, and there can not be found that much irrigable land for such a quantity of water.

Mr. SMOOT. But there can be used for power 5,000,000 cubic feet more, and if that is used, title will be acquired to it, providing it is used before the upper States utilize the water for irrigation purposes; and that will happen, I will say to the Senator.

Mr. PITTMAN. Providing the Government, which is a party to this compact, and the States which are in the compact are going to sanction a deliberate violation of the agreement.

Mr. SMOOT. I can not see that that would be a violation; I would not say it was a violation if they did so.

Mr. JOHNSON. But the bill writes the compact into the very distribution of the water.

Mr. SMOOT. Then why in the world have a power plant that will take 12,000,000 cubic feet if it is not going to be used?

Mr. JOHNSON. The Senator is talking of a different proposition; but I repeat that the bill writes the pact into the distribution of the water, and the water must be used in conformity with the division made by the upper basin States.

Mr. SMOOT. Mr. President, it is all well enough to stand here on the floor and say that.

Mr. JOHNSON. But the bill says it; it is not I who say it.

Mr. SMOOT. I want to say that provision is being made for a power plant to take 12,000,000 cubic feet of water, and if it is put into operation and that water is applied for that purpose, those using the water will acquire a right to it, and they are going to claim it.

Mr. PITTMAN. Let the two upper States fight it out, then.

Mr. KENDRICK. Mr. President, will the Senator from Nevada yield to me further?

Mr. PITTMAN. I yield.

Mr. KENDRICK. I wish to ask the Senator from Utah if he believes that the employment of the water of the Colorado River for power purposes—that is, the initiation of the development of the canyon for the production of hydroelectric power—will have an adverse effect on the water rights for agriculture in the States of the upper basin?

Mr. SMOOT. I have not the least doubt of it.

Mr. KENDRICK. In that event, does the Senator not believe that it is a tragic situation that faces us to-day, when the Federal Water Power Commission is delaying granting the right to begin that construction from month to month in order to give the several States interested an opportunity to compose their differences and by a pact to establish their rights to the water?

Mr. SMOOT. It is all well enough if it could be done, but if this measure goes through it can not be done. For instance, the Senator knows very well, and I think he knows the State of Utah well enough to know, that as to the whole Green River Valley, with hundreds of thousands of acres of land, it is going to take a long time before ever we can get water there. Now, let me say further to the Senator—

Mr. PITTMAN. Mr. President, I think I shall have to proceed.

Mr. KENDRICK. Mr. President, if the Senator from Nevada will pardon me for a moment, I estimate that to-day the development of those upper basin States is anywhere from 25 to 50 years deferred.

Mr. SMOOT. There is no doubt about that at all. Now, let me call attention to the fact that we can not tell what may come in the way of development and we can not say whether it will come in 3 years or 20 years; but if the right to the water is taken away those States never can be developed.

Mr. KENDRICK. Yes; but the Senator will agree that the danger of acquiring priorities for agricultural purposes rests largely with California and old Mexico in the lower basin.

Mr. SMOOT. I would not stand here for one moment and deny everything to California that could be given her; I have not the least thought of taking an ounce or a drop of water from her; but if Congress enacts legislation providing that the power plant may take the amount of water I have indicated and shall make beneficial use of it, how in the world can the upper States get back that right? I do not favor such legislation.

Mr. KENDRICK. Mr. President, does not the Senator believe it will make a distinct difference if the Government itself shall construct the dam and the Congress of the United States shall write into the compact the condition that no single bit of construction shall be started on the dam until the States have divided the waters equitably among themselves?

Mr. SMOOT. The Senator does not yet see the point at all, it seems to me.

Mr. PITTMAN. Mr. President, I can not yield further. I do not consider this a material part of the argument at all.

Mr. SMOOT. I beg pardon of the Senator.

Mr. PITTMAN. Mr. President, I do not consider that the suggested objection by the Senator from Utah has any foundation at all. This act is undoubtedly binding on the Government of the United States, if on no one else, in its control of the dam and of the water impounded. The pact expressly provides that there shall not be used for purposes of the lower States in excess of 7,500,000 acre-feet, and the pact is made a part of this bill.

The Government is going to build this dam. It is going to have control of the impounded water. The Government of the United States would not use power to such an extent as to take away from the upper States any portion of the 7,500,000 acre-feet which the Government had agreed to in the compact it was enforcing and carrying out. We can not conceive of such a thing as that. It is perfectly absurd to suppose that the Government of the United States, which builds this dam by virtue of the compact, because it is part of the bill, which impounds the water by virtue of the compact, which creates the power and irrigates the land by virtue of the compact that is written all the way through the bill, could be a party to a fraud on the upper States.

Who can get a vested right, and how? Some one might get a vested right to the use of water; but there is no such thing as a vested right, so far as I know, in power. Who is going to use the water? The irrigators? There is not enough land below the dam that water can be put on, that is irrigable, to consume the 7,500,000 acre-feet. The thing some people are afraid of is that because the water can not be consumed on the land in the United States, it will go to Mexico. That is what they have been arguing.

It is true that there is not enough land available in the United States to consume all the water. Therefore, the irrigators do not get any vested right to all of it. Then who is going to get a vested right? The people who buy electricity from the Government for power purposes? Why, every power company or State or individual that buys power from the United States Government buys it under notice as to the limitations of water that may be used to create that power. The Government does not dare enter into any contract with regard to power without having a limitation in the contract to the effect that when it is necessary to use that water for irrigation or to use that water for storage purposes or flood control, or to use that water in the upper belt, the supply to the power company shall cease. That will be in every contract. There is no danger of that.

The whole proposition is a simple one. There is no other way on earth to prevent the destruction of Imperial Valley in seven years except by impounding the flood waters. There is no place to impound the flood waters except at the lower end of the canyon. There is no place in the lower end of the canyon to build a dam that will have a reservoir site above it except Boulder Canyon. There is no place where you can build a dam and get the necessary capacity of 28,000,000 second-feet, which they practically all agree on, except at Boulder Canyon. The dam has to be built; and if the dam is built, there is an incidental creation of power and use of water for irrigation; and the Government, through that incidental power, always holding it subservient to flood control, can develop the country, earn back its money, and damage no one, because no one is damaged. The Government, by the passage of this bill, gives its solemn pledge that there shall be 7,500,000 acre-feet of that river always held in reserve for the upper States; and the Government can be trusted to keep its word.

But it is said that the bill is unfair; that it takes away the water from Arizona. The only water that Arizona can put into her State from the Colorado River, as all the testimony shows, is below Boulder dam.

The only other scheme she ever had for putting it in was what is called the high-line canal, with a dam at Bridge Creek 900 feet high, a tunnel through the mountains for 82 miles, 600 miles of canal through the roughest country on earth, and an expense of between six hundred and seven hundred million dollars. Everybody has denounced the thing as absolutely visionary and absurd, so there is not any other suggestion as to how they can get water in except below Boulder Canyon dam. All the water, according to the highest estimate that has been made, that can be used by gravity flow from the Colorado River is enough for 298,000 acres, and by pumping 600,000 acres. They can irrigate 600,000 acres by pumping to a height of 200 feet from below Boulder dam. That is all of the available land that water can be put on in Arizona; and we, unfortunately, are in a worse fix. Our land is so situated that we can not by gravity irrigate over 15,000 acres. California herself can not irrigate over 1,000,000 acres. All of the irrigable land in California, Nevada, and Arizona is not enough to take up the 7,500,000 acre-feet. The water proposition cuts no figure at all, but it will create, incidentally, 550,000 hydroelectric horsepower.

I take it, sir, that irrigation is an incidental benefit of the bill. I take it that the three lower States would be entitled to equal treatment with regard to irrigation; that if each of the States had land in plenty, the water that could be put on it would be divided equally between the three States. I take it that power is one of the beneficial uses of water, and that if we are entitled to an equal right in the water, we are entitled to an equal right in the power. Two hundred and thirty thousand horsepower are estimated to be required to pump the domestic water supply from the Colorado River into Los Angeles and surrounding country. That takes up 230,000 horsepower. There are 550,000 firm horsepower there.

Los Angeles will get its 230,000 horsepower at 3 mills per kilowatt-hour. That will be the price fixed by the Government—the cost price. That is the price at which the investment will be returned to the Government in the time fixed in the bill, with interest. So Los Angeles can afford to pump its water to a height of 1,300 or 1,400 feet before it starts to run into Los Angeles. Arizona, however, has 600,000 acres of land that may be irrigated by pumping water from a dam below the Boulder dam.

The Parker dam site is not worth anything unless the Boulder dam is built; but if it is built, the Parker dam site is worth something, and at that point Arizona can pump sufficient water to irrigate 600,000 acres in its State; but it must have cheap power. It needs cheap power to pump water on its 600,000 acres of land, just the same as Los Angeles must have cheap power to pump its domestic water, its potable drinking water, into Los Angeles.

It is perfectly just and fair that Los Angeles should be allowed to purchase 230,000 horsepower at the cost-plus price, so that her people can get the benefit of it. It is equally proper that the State of Arizona should be allowed to purchase enough horsepower to pump the water on its lands at the same price; and it is equally fair that the State of Nevada should be allowed to purchase enough of that power at the Government price to pump water on its land, to open up its mines, and to develop its resources.

Mr. President, Nevada is in worse shape than the other States that are quarreling over this proposition. We get only 15,000 acres irrigated. There are about 1,200,000 acres to be irrigated in Arizona and California. Arizona to-day has her great power systems at the Roosevelt Dam and below it. There is plenty of power in Arizona to-day. Nevada has no power in it. California has its great oil fields and its fuel and its timber. Arizona has its coal and timber. Nevada has no oil, no coal, no timber, no fuel; and we are charged more to-day for power, probably, than anywhere else in the United States.

There is a mountain range lying between the rich lands and valleys of Nevada and the Colorado River, as there is between the Colorado River and most of Arizona. We can not pump over that mountain range; but we have 15,000,000 acres of valleys, rich land, good soil, underlaid with subsurface waters. The big, high mountains that run parallel through our State, north and south, are covered with snow even during the summer, and waters run down into those valleys covered with sand, and they are sand-covered rivers. The waters are from 15 to 200 feet deep. Give us cheap electric power and we will be able to pump from wells all over those great valleys of southern Nevada, and raise there semitropical fruits and plants

as they do in Arizona and southern California. We are entitled, Arizona is entitled, to that consideration.

The State of Nevada has asked for an amendment to this bill, a very reasonable amendment, and that is that we be treated as Los Angeles is treated; that we be treated as private power companies are treated; that Los Angeles be allowed to buy her 230,000 horsepower at the Government price to pump its water into Los Angeles, and that Arizona be allowed to purchase at the Government price its power, and that Nevada be allowed to purchase it.

I have a proposed amendment here, sir, which I intend to offer when amendments are in order. The amendment is as follows:

AMENDMENT TO BE PROPOSED BY MR. PITTMAN TO S. 3331

On page 25, line 5, after the semicolon, strike out lines 5 to 11, inclusive, and insert:

"Provided, That in the event no such compact is entered into between the States of Arizona, California, and Nevada, or between the State of California and the State of Nevada, prior to March 4, 1927, then there shall be reserved for acquisition by the State of Nevada, its agents, licensees, or assignees, at the switchboard, at the plant or plants operated through the use of water impounded by said dam, electrical energy equivalent to 15 per cent of the total electrical energy made available by the use of such impounded water, to be contracted for by said State, or its agents, licensees, or assignees, within six months after notice by the Secretary of the Interior, and to be paid for as and when said electrical energy is ready for delivery. If said plant or plants are operated by the Government, then said electrical energy shall be delivered on the terms and charges provided in the general regulations for delivery of electrical energy at the switchboard to municipal corporations and political subdivisions. If, however, said plant or plants are operated by licensee or licensees of the Government, then said electrical energy shall be delivered at the switchboard by said licensee or licensees upon terms and charges equivalent to those that would have been fixed by the Government had the Government delivered such energy, and said equivalent terms and charges to be made by said licensee or licensees shall be established and fixed by the Government.

The VICE PRESIDENT. The amendment will lie on the table and be printed.

Mr. PITTMAN. Mr. President, I say that the Senators from California and the Representatives from California, with regard to that matter, who are here have considered this amendment with me and have agreed that it is reasonable and proper, and they will support its adoption when it is presented to this bill.

I feel that Nevada is entitled to anything with regard to power to which Arizona is entitled, and I feel that Arizona is entitled to anything to which Nevada is entitled. Whatever rights a State has in water, in navigable streams and nonnavigable streams, Nevada and Arizona have the same in the Colorado River at Boulder dam.

This dam is to be built in a canyon lying between Arizona and Nevada. If the river is navigable, then the States have sovereignty over the bed of the river to the middle of the river. Whether it is navigable or is not navigable the States have sovereignty over the waters within their boundaries. I do not say ownership, I say sovereignty. They have a right to control the disposition of the water in the States, subject, of course, to the rights they surrender to the Federal Government in the Constitution to control navigation in those waters.

There is no conflict there that I know of. There is a legal right in the State of Nevada which I do not believe any attorney can successfully contradict. Nevada has made no relinquishment, as it is alleged Arizona has. If the Colorado is a navigable stream, then Nevada has sovereignty over the bed of that stream to the middle of the river, and that sovereignty carries with it certain rights that even the Federal Government can not impose on. When I say "impose on," I mean that the Federal Government can not interfere with beyond the constitutional authority that has been granted to it by the States.

The State has a right of sovereignty over the water within or on its border, both navigable and nonnavigable. The Supreme Court of the United States has held time and again that jurisdiction over the waters within a State is a necessary incident to sovereignty. The Federal Government, in the Federal power act, has provided a royalty of 5 per cent for the use of its public domain for a dam site or for a right of way. In my opinion there is no reason on earth why a State could not charge a royalty for the use of the water of a State within the State.

I do not believe the Federal Government could grant a power or a privilege to any licensee to use the bed of a navigable stream for a dam that was not intended to benefit navigation. They could not do it for reclamation purposes, they could not do it for power purposes, because the States have not relin-

quished the control over the beds of navigable streams within their borders for those purposes. You can not interfere with the Government building a dam in a river to make it navigable, because the States have specifically surrendered that power to the Federal Government in the adoption of the Constitution of the United States.

I am only making this statement because we are drifting too far. We drifted too far when we passed the Federal power act. Some of us thought we knew the construction of the Federal power act, but the administrators of the Federal power act have undoubtedly thought something else. They have felt that by that act the Federal Government was given absolute and exclusive control over any river that was subject to the power act. All that act does is to provide that the Government, in the case of navigable rivers, gives a permit and says that the kind of a dam to be built shall not interfere with navigation, and on public lands all the permit amounts to is the right to use the public lands. The permit does not give the grantees any right to the use of water in a State whatever, nor does it give them any right to the use of the bed of a navigable stream in a State unless it be for the purpose of regulating navigation.

Mr. McKELLAR. Mr. President, the Senator knows that the Federal Government Power Commission has assumed jurisdiction not only of navigable streams but of all unnavigable streams on the ground that the water in the unnavigable streams flows into the navigable streams. I want to say to the Senator that I agree with him entirely that Congress never had any idea of giving authority to the Federal Power Commission over unnavigable streams, and I have a bill now before the Committee on Commerce which would remedy that assumption of authority. I hope that when it comes up the Senator will take the same view of the question he takes now. I am sure he will, because we all recognize that the United States Government has no authority over unnavigable streams.

Mr. PITTMAN. Mr. President, it was these serious questions of jurisdiction, it was the question of right as between the various States, and the question of rights as between the States and the Federal Government, that caused the movers in this pact to believe that it was absolutely essential that some form of agreement be brought about among the States and the Federal Government to avoid litigation and to avoid discrimination.

I think the agreement has been largely brought about. I think the pact is largely successful. I think that some of the fears manifested in the upper States with regard to the Federal Government taking more water from the upper States than should be taken is without any foundation whatever. I think there is more water allotted to the southern States—Arizona, California, and Nevada—than there is land on which it can be put. I think all three States will get enough water to irrigate all of the land that can be economically irrigated, so I do not think water has anything to do with the matter.

I think, however, the equitable distribution of the power is absolutely essential to the development of those States, and they must be developed by pumping rather than by gravity flow. We insist, of course, on this amendment providing that Nevada be given 15 per cent of the available power as and when produced at the price the Government charges everyone else. I will support an identical amendment for Arizona, and, if agreed to, Arizona should accept the bill.

Mr. DILL. Mr. President, will the Senator yield right there?

Mr. PITTMAN. I yield.

Mr. DILL. Will the same rate that is proposed to be charged to Los Angeles be applied to all the power sold from this dam for the 500,000 horsepower?

Mr. PITTMAN. I would judge so, from the report that is filed.

Mr. DILL. That was my understanding. After the bonds have been paid for, what is to be done with the receipts from the sale of this power?

Mr. PITTMAN. There is no provision in the bill as to what shall be done with such receipts. Of course, those in charge should give the benefit of the receipts in some form to those who had been paying for the power and those who had been paying for reclamation. In other words, the project having been amortized, paid for, the Government then could afford, of course, to reduce the charges to everyone.

Mr. DILL. Would it not be a desirable thing to place in the bill a provision that the price of power should be reduced so as simply to provide the amount necessary to keep up the dam and keep up the improvements?

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER (Mr. WHEELER in the chair). Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. PITTMAN. I yield.

Mr. NORRIS. It seems to me that would follow, if we are to use this money to pay for this improvement. The principal would be paid off, and we would still have some expenses, and will always have expenses. The dam will have to be maintained. There will be improvements to make, accidents will happen that will involve the expenditure of money, and all those things must be provided for; but that is all that must be provided for. Those things should embrace everything covered by the charge for electricity. The Government does not want to make any profit off these people. It would naturally follow, it seems to me, that the price paid for electricity should be decreased when the works were paid for, so that there would be just enough left to pay for maintenance and upkeep.

Mr. DILL. It would be extremely small, because even the 3 mills charge would be exceedingly small.

Mr. NORRIS. Of course, the charge would be extremely small, but that naturally follows in the case of any electrical development. When once the installation charges are paid, if the works are permanent, as these would be, the upkeep being rather small, the equation of cost is practically eliminated.

Mr. PITTMAN. I feel perfectly confident that that will be accomplished through a reduction of cost. It can not be entirely wiped out, for the reasons the Senator has stated. There will be some maintenance and replacement charges.

I have about concluded, Mr. President. I am in perfect harmony with Arizona with regard to its view of the law in most cases. I am in harmony with Arizona with regard to its assertion that it is entitled to all the water up to one-third for use on lands that may be economically irrigated.

We do not maintain at this time the proposition that Nevada should have a royalty on the power that goes out of the State. Whether we have a legal right to insist on a royalty or not it is unnecessary for me to discuss, because my State is satisfied with the agreement that I have reached with the Senators from California and the Representatives from California.

The bill itself provides for a separate compact between the State of California and the State of Nevada. This constitutes now the compact which I am offering as an amendment, and I have no doubt, of course, that the agreement between those States will be confirmed by Congress and maintained.

With the adoption of my amendment my State will be content.

With equal treatment of Arizona all objections should be removed.

I know that an emergency exists for this legislation. Human life is at stake. I hope the bill passes in the form that I have stated.

I ask leave to publish in the RECORD from the report on the bill the estimate of the costs and disbursements, receipts, and revenues as submitted by the Secretary of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

The estimate is as follows:

PART VI. FINANCIAL SOUNDNESS OF PROJECT

FINANCIAL SET-UP

The Secretary of the Interior, in his report of January 12, 1926, gives his estimate of the financial working of the project as follows:

Capital investment

Estimated cost for—	
26,000,000 acre-foot reservoir.....	\$41,500,000
1,000,000-horsepower development.....	31,500,000
The all-American canal.....	31,000,000
Interest during construction on above five years at 4 per cent.....	21,000,000
Total.....	125,000,000

Annual operation

Estimated gross revenues from—	
Sale 3,600,000 kilowatt-hours, power at three-tenths cent.....	10,800,000
Storage and delivery of water for irrigation and domestic purposes.....	1,500,000
Total.....	12,300,000

Estimated fixed annual charges for—	
Operation and maintenance, storage, and power.....	700,000
Operation and maintenance, all-American canal.....	500,000
Interest on \$125,000,000 at 4 per cent.....	5,000,000
Total.....	6,200,000

Estimated annual surplus, \$6,100,000, or thought to be sufficient to repay the entire cost in 25 years.

It will be observed that the allowances he makes for operation and maintenance are extremely liberal. The testimony points to costs being more favorable than thus indicated.

Mr. PITTMAN. I also ask leave to have printed in the RECORD as a part of my remarks some correspondence I have

had on the subject very largely bearing upon the amendment which I have just read.

The PRESIDING OFFICER. Without objection, the correspondence will be printed in the RECORD.

The correspondence is as follows:

UNITED STATES SENATE,
COMMITTEE ON IMMIGRATION,
February 12, 1927.

HON. KEY PITTMAN,
Addressed.

DEAR SENATOR: I am confirming now what recently I said to you concerning the amendment, copy of which you sent me, to the Boulder dam bill.

I submitted your proposed amendment to those here interested in the measure, and they agree to it. Therefore, I will gladly agree to it and accept it.

Yours sincerely,

HIRAM W. JOHNSON.

EXECUTIVE CHAMBER, STATE OF NEVADA,
Carson City, January 20, 1927.

HON. KEY PITTMAN,
Senate Office Building, Washington, D. C.

DEAR SENATOR: I have your note of the 14th instant, inclosing copy of a letter written by yourself to the Secretary of the Interior of even date relative to your proposed amendment to Boulder Canyon dam bill.

I have this date transmitted to the legislature by special message copy of Senate Joint Resolution No. 1, eighth session of Arizona Legislature, and also a copy of their senate bill No. 9, referring to the Colorado River matter.

I am advised that the senate has directed the printing of this message with accompanying documents, and no doubt some action may be expected thereon in the immediate future, and I shall be glad to advise you by wire.

Since writing the above, I understand the matter has been referred to the Federal relations committee, of which Senator Henderson, of Clark County, is chairman.

In reference to the amendment proposed by you to S. 3331, I am advised that the Colorado River Commission of the State of Nevada is in accord with the same. Said commission is now in conference with the like commissions from the States of California and Arizona and we expect some definite action to be taken by the legislature upon the matters contained in the amendment after conferring with the members of our commission at Los Angeles and dependent upon the outcome of their labors there.

Very truly yours,

F. B. BALZAR, Governor.

CARSON CITY, NEV., February 11, 1927.

KEY PITTMAN,
Senate Chamber, Washington, D. C.:

Your amendment Swing-Johnson bill meets my approval. Legislative action on this matter to be taken Monday. Will advise result.

F. B. BALZAR.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, returned to the Senate, in compliance with its request, the bill (S. 4411) granting the consent of Congress to compacts or agreements between the States of South Dakota and Wyoming with respect to the division and apportionment of the waters of the Belle Fourche and Cheyenne Rivers and other streams in which such States are jointly interested.

The message announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 722. An act to authorize the selection of certain publicly owned lands by the State of Oregon;

S. 2714. An act to authorize the cancellation, under certain conditions, of patents in fee simple to Indians for allotments held in trust by the United States;

S. 4812. An act amending the statutes of the United States as to procedure in the Patent Office and in the courts with regard to the granting of letters patent for inventions and with regard to interfering patents;

S. 4910. An act granting certain lands to the State of New Mexico for the use and benefit of New Mexico College of Agriculture and Mechanic Arts, for the purpose of conducting educational, demonstrative, and experimental development with livestock, grazing methods, and range forage plants;

S. 4957. An act to amend section 129 of the Judicial Code, allowing an appeal in a patent suit from a decree which is final except for the ordering of an accounting;

S. 4974. An act to amend and reenact an act entitled "United States cotton futures act," approved August 11, 1916, as amended;

S. 5082. An act authorizing an appropriation of \$8,600,000 for the purchase of seed grain, feed, and fertilizer to be supplied to farmers in the crop-failure areas of the United States, and for other purposes;

S. 5585. An act to extend the time for construction of a bridge across the southern branch of the Elizabeth River near the cities of Norfolk and Portsmouth, in the county of Norfolk, State of Virginia;

S. 5588. An act granting the consent of Congress to the Big Sandy & Cumberland Railroad Co. to construct and maintain and operate a bridge across the Tug Fork of Big Sandy River at Devon, Mingo County, W. Va.;

S. 5598. An act to extend the time for constructing a bridge across the Ohio River approximately midway between the city of Owensboro, Ky., and Rockport, Ind.;

S. 5620. An act granting the consent of Congress to John R. Scott, Thomas J. Scott, E. E. Green, and Baxter L. Brown, their successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River; and

S. J. Res. 120. Joint resolution authorizing the acceptance of title to certain lands in Teton County, Wyo., adjacent to the winter elk refuge in said State established in accordance with the act of Congress of August 10, 1912 (37 Stat. L. p. 293).

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2615. An act to authorize common carriers engaged in interstate commerce to transport any blind person, accompanied by a guide, for one fare; and

S. 5596. An act granting the consent of Congress to Dauphin Island Railway & Harbor Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island.

The message further announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 2849. An act to provide for an additional Federal district for North Carolina;

S. 4876. An act providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful human attempt in history at power-driven airplane flight; and

S. 5083. An act to supplement the act entitled "An act granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city," approved April 2, 1926.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 10976. An act to amend the act entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment," approved May 30, 1908, as amended, and for other purposes;

H. R. 11487. An act granting a right of way to the county of Imperial, State of California, over certain public lands for highway purposes;

H. R. 12442. An act to amend section 128, subdivision (b), paragraph first, of the Judicial Code, as amended February 13, 1925, relating to appeals from district courts;

H. R. 12532. An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes;

H. R. 12708. An act for the hospitalization of persons discharged from the United States Navy or Marine Corps who have contracted tuberculosis in the line of duty while in the naval service;

H. R. 13450. An act granting pensions and increase of pensions to widows and former widows of certain soldiers, sailors, and marines of the Civil War, and for other purposes;

H. R. 13477. An act to amend the act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," approved July 3, 1926, and for other purposes;

H. R. 13483. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., the silver bell in use on the battleship *New Orleans*;

H. R. 14251. An act to provide additional pay for enlisted men of the United States Navy assigned to duty on submarine vessels of the Navy;

H. R. 14831. An act to amend section 107 of the Judicial Code;

H. R. 15131. An act to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States;

H. R. 15650. An act to amend section 10 of the act entitled "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes," approved May 14, 1898 (30 Stat. L. p. 409);

H. R. 15822. An act authorizing the county of Escambia, Fla., and/or the county of Baldwin, Ala., and/or the State of Florida, and/or the State of Alabama to acquire all the rights and privileges granted to the Perdido Bay Bridge & Ferry Co. by chapter 168, approved June 22, 1916, for the construction of a bridge across Perdido Bay from Lillian, Ala., to Cummings Point, Fla.;

H. R. 15905. An act to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes;

H. R. 16017. An act granting public lands to the city of Golden, Colo., to secure a supply of water for municipal and domestic purposes;

H. R. 16024. An act to amend the act entitled "An act granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Dardanelle, Yell County, Ark.," approved March 3, 1925, and to extend the time for the construction of the bridge authorized thereby;

H. R. 16074. An act to amend section 2 of the act of Congress of March 3, 1921 (41 Stat. L. p. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes:'";

H. R. 16104. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16105. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16110. An act to amend section 2453 of the Revised Statutes of the United States, as amended, relating to isolated tracts of public land;

H. R. 16116. An act granting the consent of Congress to the Henderson Bridge Co., its successors and assigns, to construct, purchase or lease, maintain, and operate a bridge across the Kanawha River at or near the town of Henderson, W. Va., to a point opposite thereto in or near the city of Point Pleasant, W. Va.;

H. R. 16165. An act granting the consent of Congress to the commissioners of the county of Cook, State of Illinois, to reconstruct the bridge across the Grand Calumet River at Burnham Avenue, in said county and State;

H. R. 16207. An act to authorize an appropriation to enable the Secretary of the Interior to provide an adequate water supply for the Sequoyah Orphan Training School, near Tahlequah, Cherokee County, Okla.;

H. R. 16217. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto;

H. R. 16281. An act to grant to the city of Fort Wayne, Ind., an easement over certain Government property;

H. R. 16284. An act to authorize the Secretary of the Navy to dispose of the former naval radio station, Marshfield, Oreg.;

H. R. 16287. An act for the irrigation of additional lands within the Fort Hall Indian irrigation project in Idaho;

H. R. 16551. An act to permit the granting of Federal aid in respect of certain roads and bridges;

H. R. 16580. An act to authorize the Secretary of the Navy to declare the naval dispensary at the United States naval station, Guantanamo, Cuba, to be a naval hospital, and for other purposes;

H. R. 16649. An act to extend the time for construction of a bridge across the Susquehanna River, in Northumberland and Snyder Counties, State of Pennsylvania;

H. R. 16652. An act granting the consent of Congress to the Lawrenceburg (Ind.) Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Miami River between Lawrenceburg, Dearborn County, Ind., and a point in Hamilton County, Ohio, near Columbia Park, Hamilton County, Ohio;

H. R. 16685. An act granting the consent of Congress to the Carrollton Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Ohio River between

Carrollton, Carroll County, Ky., and a point directly across the river in Switzerland County, Ind.;

H. R. 16744. An act to authorize a per capita payment from tribal funds to the Fort Hall Indians;

H. R. 16770. An act granting the consent of Congress to the Starr County Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande River;

H. R. 16773. An act to amend an act entitled "An act authorizing the construction of a bridge across the Ohio River between the municipalities of Rochester and Monaca, Beaver County, Pa.;"

H. R. 16778. An act to extend the times for the construction of bridges across the Mississippi River at Alton, Ill., and across the Missouri River near Bellefontaine, in Missouri;

H. R. 16840. An act to authorize the Secretary of the Interior to expend certain Indian tribal funds for industrial purposes;

H. R. 16845. An act to amend section 1 of the act approved May 26, 1926, entitled "An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled 'An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes:'";

H. R. 16887. An act granting the consent of Congress to George A. Hero and Allen S. Hackett, their successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 16950. An act granting the consent of Congress to the department of highways and public works of the State of Tennessee to construct, maintain, and operate a bridge across the Clinch River in Hancock County, Tenn.;

H. R. 16954. An act granting the consent of Congress to the city of Blair, in the State of Nebraska, or its assignees, to construct a bridge and approaches thereto across the Missouri River between the States of Nebraska and Iowa;

H. R. 16971. An act granting the consent of Congress to the South Carolina and Georgia State highway department, their successors and assigns, to construct, maintain, and operate a bridge across the Savannah River;

H. R. 17089. An act relative to the dam across the Kansas (Kaw) River at Lawrence, in Douglas County, Kans.;

H. R. 17131. An act authorizing the construction of a bridge across the St. Lawrence River near Alexandria Bay, N. Y.;

H. R. 17181. An act to extend the time for constructing a bridge across the Rainy River, approximately midway between the village of Spooner, in the county of Lake of the Woods, State of Minnesota, and the village of Rainy River, Province of Ontario, Canada;

H. J. Res. 345. Joint resolution amending the act of May 13, 1924, entitled "An act providing a study regarding the equitable use of the waters of the Rio Grande," etc.; and

H. J. Res. 363. Joint resolution amending the joint resolution entitled "Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes," approved June 5, 1924.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 46) requesting the President to enter into negotiations with the Republic of China for the purpose of placing the treaties relating to Chinese tariff autonomy, extraterritoriality, and other matters, if any, in controversy between the Republic of China and the United States of America upon an equal and reciprocal basis, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1155. An act for the relief of Margaret Richards;

S. 1515. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Daniel S. Glover;

S. 1517. An act authorizing and directing the Secretary of the Treasury to pay to W. Z. Swift, of Louisa County Va., the insurance due on account of the policy held by Harold Rogis;

S. 1899. An act for the relief of Delaware River Towing Line;

S. 2090. An act for the relief of Alfred F. Land;

S. 2353. An act to amend the military record of Leo J. Pourciau;

S. 2474. An act for the relief of the Riverside Contracting Co.;

S. 2619. An act for the relief of Oliver J. Larkin and Lona Larkin;

S. 2899. An act for the relief of the owner of the American steamship *Almirante* and owners of the cargo laden aboard thereof at the time of her collision with the U. S. S. *Hisko*;

H. R. 11278. An act to authorize the erection of a statue of Henry Clay;

H. R. 14842. An act granting the consent of Congress to the Pomeroy-Mason Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the town of Mason, Mason County, W. Va., to a point opposite thereto in the city of Pomeroy, Meigs County, Ohio;

H. R. 14920. An act to amend an act entitled "An act granting the consent of Congress to the Weirton Bridge & Development Co. for the construction of a bridge across the Ohio River near Steubenville, Ohio," approved May 7, 1926; and

H. R. 16775. An act to limit the application of the internal-revenue tax upon passage tickets.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 16281. An act to grant to the city of Fort Wayne, Ind., an easement over certain Government property; to the Committee on Public Buildings and Grounds.

H. R. 16551. An act to permit the granting of Federal aid in respect of certain roads and bridges; to the Committee on Agriculture and Forestry.

H. R. 15905. An act to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes; to the Committee on Post Offices and Post Roads.

H. R. 13477. An act to amend the act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," approved July 3, 1926, and for other purposes; to the Committee on Civil Service.

H. R. 13450. An act granting pensions and increase of pensions to widows and former widows of certain soldiers, sailors, and marines of the Civil War, and for other purposes; and

H. R. 12532. An act granting pension to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes; to the Committee on Pensions.

H. R. 12442. An act to amend section 128, subdivision (b), paragraph 1, of the Judicial Code as amended February 13, 1925, relating to appeals from district courts;

H. R. 14831. An act to amend section 107 of the Judicial Code; and

H. R. 16217. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

H. R. 12708. An act for the hospitalization of persons discharged from the United States Navy or Marine Corps who have contracted tuberculosis in the line of duty while in the naval service;

H. R. 13483. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., the silver bell in use on the battleship *New Orleans*;

H. R. 14251. An act to provide additional pay for enlisted men of the United States Navy assigned to duty on submarine vessels of the Navy;

H. R. 15131. An act to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States;

H. R. 16284. An act to authorize the Secretary of the Navy to dispose of the former naval radio station, Marshfield, Oreg.;

H. R. 16580. An act to authorize the Secretary of the Navy to declare the naval dispensary at the United States naval station, Guantanamo, Cuba, to be a naval hospital, and for other purposes; to the Committee on Naval Affairs;

H. R. 10976. An act to amend the act entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment," approved May 30, 1908, as amended, and for other purposes;

H. R. 16074. An act to amend section 2 of the act of Congress of March 3, 1921 (41 Stat. L. p. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes'";

H. R. 16207. An act to authorize an appropriation to enable the Secretary of the Interior to provide an adequate water supply for the Sequoyah Orphan Training School near Tahlequah, Cherokee County, Okla.;

H. R. 16287. An act for the irrigation of additional lands within the Fort Hall Indian irrigation project in Idaho;

H. R. 16744. An act to authorize a per capita payment from tribal funds to the Fort Hall Indians;

H. R. 16840. An act to authorize the Secretary of the Interior to expend certain Indian tribal funds for industrial purposes; and

H. R. 16845. An act to amend section 1 of the act approved May 26, 1926, entitled "An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled 'An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes'"; to the Committee on Indian Affairs.

H. R. 15822. An act authorizing the county of Escambia, Fla., and/or the county of Baldwin, Ala., and/or the State of Florida, and/or the State of Alabama to acquire all the rights and privileges granted to the Perdido Bay Bridge & Ferry Co. by chapter 168, approved June 22, 1916, for the construction of a bridge across Perdido Bay from Lillian, Ala., to Cummings Point, Fla.;

H. R. 16024. An act to amend the act entitled "An act granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Dardanelle, Yell County, Ark.," approved March 3, 1925, and to extend the time for the construction of the bridge authorized thereby;

H. R. 16104. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16105. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16116. An act granting the consent of Congress to the Henderson Bridge Co., its successors and assigns, to construct, purchase or lease, maintain, and operate a bridge across the Kanawha River at or near the town of Henderson, W. Va., to a point opposite thereto in or near the city of Point Pleasant, W. Va.;

H. R. 16165. An act granting the consent of Congress to the commissioners of the county of Cook, State of Illinois, to reconstruct the bridge across the Grand Calumet River at Burnham Avenue in said county and State;

H. R. 16649. An act to extend the time for construction of a bridge across the Susquehanna River in Northumberland and Snyder Counties, State of Pennsylvania;

H. R. 16652. An act granting the consent of Congress to the Lawrenceburg (Ind.) Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Miami River between Lawrenceburg, Dearborn County, Ind., and a point in Hamilton County, Ohio, near Columbia Park, Hamilton County, Ohio;

H. R. 16685. An act granting the consent of Congress to the Carrollton Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Ohio River between Carrollton, Carroll County, Ky., and a point directly across the river in Switzerland County, Ind.;

H. R. 16770. An act granting the consent of Congress to the Starr County Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande River;

H. R. 16773. An act to amend an act entitled "An act authorizing the construction of a bridge across the Ohio River between the municipalities of Rochester and Monaca, Beaver County, Pa.;"

H. R. 16778. An act to extend the time for the construction of a bridge across the Mississippi River at Alton, Ill., and across the Missouri River near Bellefontaine, in Missouri;

H. R. 16887. An act granting the consent of Congress to George A. Hero and Allen S. Hackett, their successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 16950. An act granting the consent of Congress to the department of highways and public works of the State of Tennessee to construct, maintain, and operate a bridge across the Clinch River in Hancock County, Tenn.;

H. R. 16954. An act granting the consent of Congress to the city of Blair, in the State of Nebraska, or its assignees, to construct a bridge and approaches thereto across the Missouri River between the States of Nebraska and Iowa;

H. R. 16971. An act granting the consent of Congress to the South Carolina and Georgia State highway departments, their successors and assigns, to construct, maintain, and operate a bridge across the Savannah River;

H. R. 17089. An act relative to the dam across the Kansas (Kaw) River at Lawrence, in Douglas County, Kans.;

H. R. 17131. An act authorizing the construction of a bridge across the St. Lawrence River near Alexandria Bay, N. Y.; and

H. R. 17181. An act to extend the time for constructing a bridge across the Rainy River, approximately midway between the village of Spooner, in the county of Lake of the Woods, State of Minnesota, and the village of Rainy River, Province of Ontario, Canada; to the Committee on Commerce.

H. R. 11487. An act granting a right of way to the county of Imperial, State of California, over certain public lands for highway purposes;

H. R. 15650. An act to amend section 10 of the act entitled "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes," approved May 14, 1898 (30 Stat. L. p. 409);

H. R. 16017. An act granting public lands to the city of Golden, Colo., to secure a supply of water for municipal and domestic purposes;

H. R. 16110. An act to amend section 2455 of the Revised Statutes of the United States, as amended, relating to isolated tracts of public land; and

H. J. Res. 363. Joint resolution amending the joint resolution entitled "Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes," approved June 5, 1924; to the Committee on Public Lands and Surveys.

H. J. Res. 345. Joint resolution amending the act of May 13, 1924, entitled "An act providing a study regarding the equitable use of the waters of the Rio Grande," etc.; to the calendar.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 46) requesting the President to enter into negotiations with the Republic of China for the purpose of placing the treaties relating to Chinese tariff autonomy, extraterritoriality, and other matters, if any, in controversy between the Republic of China and the United States of America upon an equal and reciprocal basis, was referred to the Committee on Foreign Relations.

NAVAL APPROPRIATIONS—CONFERENCE REPORT

During the delivery of Mr. PITTMAN's speech, Mr. HALE. Will the Senator from Nevada yield to me for the presentation of a conference report?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. PITTMAN. I will not yield if it is going to take any time.

Mr. HALE. I do not think it will take any time. If it does, I will withdraw the request.

Mr. DILL. What conference report is it?

Mr. HALE. The conference report on the naval appropriations bill.

Mr. DILL. It will take a little time, for I wish to discuss one phase of the report. I understand a Senate amendment has been eliminated and I want to take a little time to discuss it.

Mr. NORRIS. Mr. President, let me ask, if the Senator from Nevada will permit me, why is not the Senator from Maine permitted to file his conference report? I think he has a right to do that at any time—not to take it up and have it considered, but to file it and have it printed.

Mr. DILL. I have no objection to that being done.

Mr. PITTMAN. Mr. President, let me go on for a few minutes. If the Senator from Maine wishes to ask unanimous consent to present the report, so far as I am concerned, I will not object, but I want to follow the topic under discussion now, if I may.

Mr. HALE. Very well, I will file the report and ask unanimous consent later to have it considered.

Mr. PITTMAN. I hope to finish in a few minutes.

The VICE PRESIDENT. The Senator from Maine presents a conference report, which will be read.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15641) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1928, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 7, 8, 22, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 15, 16, 18, 19, and 26, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of

the sum proposed insert "\$65,068,250"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,362,533"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$124,428,702"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,128,975"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,535,250"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$148,092,927"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$8,522,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,100,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,480,000"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 25 and 27.

FREDERICK HALE,
LAWRENCE C. PHIPPS,
GEORGE WHARTON PEPPER,
CLAUDE A. SWANSON,
CARTER GLASS,

Managers on the part of the Senate.

BURTON L. FRENCH,
GUY U. HARDY,
JOHN TABER,
W. A. AYRES,
W. B. OLIVER,

Managers on the part of the House.

Mr. JOHNSON. Mr. President, may I inquire whether or not the cruiser amendment has been agreed to in the conference report?

Mr. LENROOT. The conference report has not been taken up.

Mr. CURTIS. The conference report is not now before the Senate.

Mr. JOHNSON. I merely wish to make an inquiry as to the fact.

Mr. HALE. Mr. President, I will say in answer to the Senator from California that there has been no agreement as to the cruiser amendment. That matter will have to be voted on in the House.

ORDER FOR RECESS

Mr. CURTIS. Mr. President, will the Senator from Nevada yield to me in order that I may make a request for unanimous consent?

Mr. PITTMAN. I yield.

Mr. CURTIS. After conferring with the minority leader and others, I ask unanimous consent that when the Senate concludes its business this afternoon it take a recess until 12 o'clock tomorrow.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

INCOME-TAX REFUNDS

Mr. McKELLAR. Mr. President, I desire to ask unanimous consent to place in the Record a letter—incorporated in the Comptroller General's reply—which I wrote to the General Ac-

counting Office, and the reply of Comptroller General McCarl thereto, in reference to a proposed amendment to the deficiency appropriation bill. I ask unanimous consent to have the letter printed in the RECORD and also the proposal, which I understand has been agreed to, printing the purported proviso first.

The PRESIDING OFFICER (Mr. WHEELER in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Provided, That no part of this appropriation shall be available for paying any claim allowed in excess of \$75,000 until after the expiration of 60 days from the date upon which a report giving the name of the person to whom the refund is to be made, the amount of the refund, and a summary of the facts and the decision of the Commissioner of Internal Revenue is submitted to the Joint Committee on Internal Revenue Taxation.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, February 21, 1927.

HON. KENNETH MCKELLAR,
United States Senate.

MY DEAR SENATOR: I have your letter of this date, just received by messenger, as follows:

"When the first deficiency bill was before the Senate, I offered an amendment as follows:

"*Provided*, That no part of this appropriation shall be used to pay any claim in excess of \$50,000 until such claim has been approved by the Comptroller General of the United States in accordance with existing law."

"This provision is now in dispute in conference.

"It is claimed:

"First. That you haven't a sufficient organization of specialized experts to pass upon these claims.

"Second. That it might take \$24,000,000, or a very large sum, to set up such an organization in your bureau to pass upon these claims.

"Third. That under the law these claims bear interest at 6 per cent and the interest would be an enormous additional cost to the Government because of the delay in settlement.

"Will you kindly answer these questions?

Assuming that there are about 550 claims that would go to your bureau under this amendment, how long a time would you think would be necessary for these several claims to be passed upon by your bureau?

"Second. Would you have to have a separate and distinct organization to pass upon them or could they be passed by your present organization?

"Third. What additional appropriation would be necessary either for personnel or otherwise in order for you to pass upon these claims?"

As I understand the purpose of the amendment it is, in general, that before the appropriation involved may be used to pay an income-tax refundment of \$50,000 or more, the case must be submitted to the General Accounting Office and receive the approval of the Comptroller General. There is apparently contemplated no taking of present duty or responsibility from the Bureau of Internal Revenue in the Treasury Department, but rather a setting up of a further safeguard against improper payments by requiring, in addition to what is now required, prior approval by the Comptroller General in cases involving refundments of \$50,000 or more. If this be the purpose, I am impressed there should not be occasion for great delay in this office.

Inasmuch as the major value of an audit or independent review in fiscal matters lies in the administrative knowledge that such independent examination of the transaction is to occur, it seems fair to assume that before cases are submitted to this office they will be most carefully worked out, and that the administrative conclusion or recommendation as to the payment believed authorized will be fully and clearly supported. To examine such a record here should not, it would seem, require a vast amount of time nor a large increase in present organization, nothing like the time or organization that might be required, if the responsibility for the primary or original action were upon this office. Delay would probably be involved in those not fully and clearly supporting the administrative action and thus necessarily to be questioned.

So far as the elements of time and expense are concerned, should the amendment become the law, it would seem the matter will be largely dependent upon the time and manner in which cases are submitted here by the Bureau of Internal Revenue, and the condition of the record in each case. But to be more specific—

Because of the element of interest, payable by the United States, such cases would, of course, be given first attention by this office, and there would be required nothing like the organization suggested by you. How long a time would be required in the event there are approximately 550 cases, I can not state more definitely than is stated above because of the elements mentioned. My present thought is that it would be preferable not to ask additional appropriation at this time but to make use of the funds available for the work of this office

during the fiscal year 1928, to the extent actually necessary and with a view to requesting only such additional funds as may develop to be required for this particular work.

Permit me to suggest further, that if the duty be entrusted to this office it will be regarded a responsibility demanding its best efforts.

Sincerely yours,

J. R. McCARL,
Comptroller General of the United States.

After the conclusion of Mr. PITTMAN'S speech,

NAVAL APPROPRIATIONS

Mr. SHORTRIDGE obtained the floor.

Mr. HALE. Mr. President, will the Senator yield to me to enable me to call up the conference report on the naval appropriation bill?

Mr. SHORTRIDGE. I yield for the purpose indicated.

Mr. HALE. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the conference report on the naval appropriation bill.

Mr. SHORTRIDGE. It will take but a few moments, as I am given to understand, and I yield for that purpose.

Mr. DILL. Mr. President, I want to discuss it for a few minutes.

Mr. HALE. It will not take long, in any event.

Mr. JOHNSON. If it will take but a few moments, I would not object.

Mr. DILL. That is all I ask.

Mr. NORRIS. Mr. President, I had wanted to discuss the conference report, but I am not going to insist on it, because I do not want to delay progress of the Boulder dam bill. We are all up against the proposition now that all of the time seems to have been farmed out, and perhaps a little more than exists between now and the 4th of March. I did want to discuss the conference report. Probably I shall take opportunity to do it when it comes up again. There will be another report, as I understand it, submitted on the naval appropriation bill.

Mr. HALE. That depends on what action the House takes on the Senate amendment with reference to cruisers. If the House agrees to the amendment, I think that will conclude the matter, but if it does not, it will come back to the Senate for further action.

Mr. DILL. I do not want to delay action on the Boulder dam bill. I am just as anxious to help it along as any other Senator, but the conferees have stricken out the amendment which forbids the use of naval radio stations for propaganda purposes, and I want to discuss that a few minutes.

Mr. HALE. I think it will not take long.

The PRESIDING OFFICER (Mr. WHEELER in the chair). Is there objection to the request of the Senator from Maine?

Mr. JOHNSON. Just a moment, Mr. President, if you please. I do not want to be in the situation of precluding the Senator from Nebraska from discussing the matter if he desires. That is not just, even though he be so kind to me as to say he does not want to interfere with the measure now pending, and, of course, it is not just to ask the Senator from Washington to defer his discussion. It is obvious, it seems to me, that we will have more than a few minutes taken up with the discussion, and because it is obvious I do not feel that I ought at the moment to consent. There will be ample time to take up the conference report, and way will be given to it, of course, because it is in the nature of a privileged matter.

Mr. HALE. Does the Senator mean that we are not going to have a chance to take it up to-day? I had hoped very much to take it up.

Mr. NORRIS. Why does the Senator have to take it up to-day?

Mr. HALE. I merely hoped that we could do so.

Mr. SHORTRIDGE. Mr. President, there seems to be objection. I am perfectly willing to waive any right I have to address the Senate and to proceed at once to a vote upon the bill which is now the unfinished business, namely, Senate bill 3331. We have listened long and patiently, and really I would not feel disappointed if I had no further opportunity to address the Senate on it. I would be very glad to have a vote taken now on the pending bill.

Mr. NORRIS. Let us vote.

The PRESIDING OFFICER. Is there objection to laying aside the unfinished business?

Mr. JOHNSON. I object, under the circumstances, at this particular time.

The PRESIDING OFFICER. Objection is made. The junior Senator from California has the floor.

DEFINITION OF AMERICANISM

Mr. FRAZIER. Mr. President, last Friday the junior Senator from Colorado [Mr. MEANS] had placed in the RECORD a definition of Americanism which was severely criticized by some women's organizations especially. I have here a definition of Americanism by the Women's Peace Union, which I ask unanimous consent to have printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

WASHINGTON'S BIRTHDAY, 1927—DEFINITION OF AMERICANISM

Americanism is the brave and true love of and loyalty to the belief that the people of the United States, as individual citizens, are free and equal, and that the Government of the United States is established by the people to exercise powers delegated by them in order to secure the blessings of liberty to themselves and their posterity.

WASHINGTON, D. C., February 22, 1927.

DAUPHIN ISLAND RAILWAY & HARBOR CO. BRIDGE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 5596) granting the consent of Congress to Dauphin Island Railway & Harbor Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto and/or a toll bridge across the water between the mainland at or near Cedar Point and Dauphin Island, which was, on page 3, after line 25, to insert:

The provisions of sections 2 and 3 of this act shall not be applicable in the event that the bridge constructed under authority hereof shall be designed, constructed, and used for railway or combined railway and highway purposes and connection be made or provided for between the same and a carrier on the mainland subject to the interstate commerce act.

Mr. JONES of Washington. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MONUMENT AT KILL DEVIL HILL, KITTY HAWK, N. C.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4876) providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful human attempt in history at power-driven airplane flight, which were, on page 1, line 5, after the word "successful," to insert "human"; on page 2, after line 10, to insert:

SEC. 4. The design and plans for the monument shall be subject to the approval of the Commission of Fine Arts and the Joint Committee on the Library.

And to amend the title so as to read: "An act providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful human attempt in history at power-driven airplane flight."

Mr. BINGHAM. I move that the Senate concur in the House amendments.

The motion was agreed to.

BELLE FOURCHE AND CHEYENNE RIVERS

The PRESIDING OFFICER laid before the Senate the bill (S. 4411) granting the consent of Congress to compacts or agreements between the States of South Dakota and Wyoming with respect to the division and apportionment of the waters of the Belle Fourche and Cheyenne Rivers and other streams in which such States are jointly interested, returned from the House of Representatives at the request of the Senate.

Mr. KENDRICK. I move that the Senate reconsider the vote by which the Senate disagreed to the amendment of the House and requested a conference on the disagreeing votes of the two Houses.

The motion to reconsider was agreed to.

Mr. KENDRICK. I move that the Senate agree to the House amendment.

The motion was agreed to.

ADDITIONAL FEDERAL DISTRICT FOR NORTH CAROLINA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2849) to provide for an additional Federal district for North Carolina, which were, on page 2, line 1, after "Brunswick," to insert "Durham"; on page 2, line 3, after "Gates," to insert "Granville"; on page 2, line 4, to strike out "Hoke"; on page 2, line 7, after "Tyrrel," to insert "Vance"; on page 3, line 6, to strike out "Durham"; on page 3, line 6, to strike out "Granville"; on page 3, line 6, before "Lee," to insert "Hoke"; on page 3, line 8, to strike out "Vance"; on page 3 to strike out all after the word "Rockingham" in line 11 down to and including "Durham" in line 12; on page 3, line 18, to strike out "Win-

ston-Salem" and insert "Winston-Salem and"; on page 3, line 18, to strike out "and Durham"; on page 3, line 22, to strike out "Durham" and insert "Rockingham"; on page 4, to strike out lines 21 to 25, inclusive; and on page 5 to strike out lines 1 and 2 and insert:

That there shall be a judge appointed for the said middle district in the manner now provided by law who shall receive the salary provided by law for the judges of the eastern and western districts, and a district attorney, marshal, clerk, and other officers in the manner and at the salary now provided by law.

Mr. OVERMAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15547) to authorize appropriations for construction at military posts, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16462) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes.

LOWER COLORADO RIVER BASIN

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3331) to provide for the protection and development of the lower Colorado River Basin.

Mr. SHORTRIDGE. Mr. President, my desire for an early passage of the bill pending before us is so earnest, so sincere, that I do not intend to delay a vote or imperil its passage by any elaborate speech. I heartily approve of the measure. I have given much thought to it, and I am familiar with the facts concerning which so much testimony has been taken. I visualize, I see before me, the concrete facts, the mountains and the valleys, the canyons, and the rushing waters of the Colorado River. I have devoted some thought to the legal questions which have arisen, to certain constitutional principles which some mistakenly think will be trodden down or ignored or impaired by the passage of this bill as amended.

I regret exceedingly that the bill has not been brought before the Senate earlier in the session. I criticize no one for the delay in bringing it forward. It is not my habit to impute evil motive or sinister purpose to anyone. I am far from criticizing anyone for the delay in the bringing of the bill up for consideration or action by the Senate. Doubtless there has been reason for seeming delay. But I can not but express regret that the bill, which was on the calendar at the opening of the session, was not brought up sooner and in time for action by the Senate.

But the days are running and the years are running and the waters of the river are running, and the danger this bill would remove threatens. It is no figure of speech, it is no attempt to play with words, when I say in plain, homely English that great sections of our country, great numbers of our people, and all their possessions are in mortal peril. I do not think of California alone, and lest I forget I hasten to say that I personally and my State have the most cordial and affectionate feeling toward Arizona, toward Nevada, and indeed toward each and all of the seven States immediately concerned with the harnessing and control of this mighty river. Far from feeling or being hostile, we have the most cordial and affectionate regard for all these States, and, if I may say so, for all the States of the Union.

I am not complaining of the vigilance of the capable and eloquent champion of Arizona. Arizona is great territorially and great in the Senators she sends to this body. Assuredly, I am not complaining of the senior Senator from Arizona [Mr. ASHBURST] because he has imputed to California hostile feelings or the robber instinct. I imagine his vigorous language was born of his zeal for his own State rather than from any desire or intention to offend or to alienate those representing California. Nor do I criticize his vigilant colleague [Mr. CAMERON] because of his opposition to this legislation, which I think is meritorious from every point of view. Certainly I have the most kindly feeling and admiration for the distinguished Senator from Nevada [Mr. PITTMAN] who this day has delivered such an instructive and illuminating address concerning the subject matter before us.

It so happens, Mr. President, that I am very familiar with the section of our country involved. Over a quarter of a century ago I visited what is now Imperial County, then a part

of San Diego County, and spent much time in that section of California. From that remote time hitherto and up to this day I have come and gone and viewed that section of our State. I am also well acquainted with Arizona, Nevada, and the other States directly interested in this river. I need not say more upon that point. I mention it merely in order that Senators may understand, if they will do me the honor to listen, that I know in a measure whereof I speak.

The controlling of the Colorado River is no new problem. The records before us disclose that for practically half a century the Federal Government has been interested in this subject. I shall not now take the time to read the messages of Presidents, the reports of commissioners, and the testimony of civil engineers, all bearing on this problem and its solution. The records are here; they are printed and are available. I must assume, in the interest of time, that Senators are acquainted with the facts involved and are not unfamiliar with the legal questions which have been raised.

I do not wish to appear dogmatic, but I say, with due respect to all who may differ from me, that the overwhelming evidence shows that the place for a dam in that great river is at Boulder or Black Canyon. Here before me are some seven or eight volumes of testimony taken by the House committee; here also are seven or eight volumes taken by the Senate committee, and having in mind the testimony of different civil engineers, I repeat the statement that the overwhelming evidence, by which I assume we are to be guided, is that the ideal site for the high dam is at the place designated in this bill—Boulder or Black Canyon. The site of this proposed dam is in the Colorado River where that stream flows between Arizona and Nevada and at a point about 25 or 26 miles southerly from the town of Las Vegas, in the State of Nevada.

There are questions of fact to be considered; there are questions of law to be resolved; there are the rights of States to be guarded; and there is the right of the Federal Government not to be overlooked. A detailed and thorough discussion of all these questions as they relate to this problem, I realize, would take many hours. I do not purpose going into details either as to the facts or as to the legal matters which we must consider, and, of course, have in time gone by considered and will consider before action is taken.

So much has been said explanatory of the physical situation that I need to do no more than refer to it. I assume that Senators recall their geographies and visualize that river as it rises yonder in Wyoming, pursues its way in part through the States of Colorado and Utah, on down through Arizona for several hundred miles, then between Arizona and Nevada, and, turning south, runs between California and Arizona until it finds its way into the Gulf of California.

In the low-water season it is as tranquil as the waters of sweet Afton, on whose green banks Bobby Burns's Mary fell asleep, but in the high-water season it is a wild, raging torrent, carrying terror, destruction, and death. It is an awe-inspiring river, terrible in its moments of rage. In flood season it discharges over 200,000 cubic feet per second! In August, September, and October the flow is as low as 2,500 cubic feet per second! It has been as low as 1,300 cubic feet per second! Thus at one season it means flood; at another season, draught.

I also assume that Senators will remember that the Gulf of California once extended northward up into what is now Imperial Valley, California. That was centuries ago. This mighty river passing through a certain character of soil, gathers up and carries along a vast quantity of debris or silt, carrying it on down to the lower reaches of that great stream, on toward the gulf. The result was, in ages gone, that there was formed across the Gulf of California a bar which, rising, shut off the waters to the north from those to the south, creating an inland sea or lake. In the course of centuries by evaporation there was left the Imperial Valley, two or three hundred feet below the level of the sea. In the meantime this treacherous, and at seasons dangerous, river struggled to find its way to the Gulf of California; but such was and is the condition of things there, as we are now made fully to understand, that the bed of the river is now above the level of the valley to the west. The admitted fact is that the valley is subject to being inundated and drowned.

In 1906 and 1907 the river broke its banks, flowed westward and northward into the valley, and to-day there remains what is called the Salton Sea, some twenty-odd miles in length, in the northwest part of the Imperial Valley. If the break in the river had not been closed—and it was closed after an heroic effort—the whole valley would have been inundated; there would have been a vast inland sea, and the tragedy would have been beyond any recorded in history.

I do not wish to stir up emotions or make any emotional appeal to the hearts of men. It may be easy to play upon the

heartstrings: I am appealing to the judgment and the intellect of the Senate; and I say, not to alarm anyone or to disturb anyone far away who does not hear me speak to-day, that the great Imperial Valley of California, with its 65,000 or 70,000 citizens, with its churches, its schools, its cities, its vast investments, rests under a great danger which may overwhelm it during the coming season.

The purpose of the pending measure, Mr. President, is to control that river as it now flows, as through the long ages past it has flowed, through its canyons and on through its banks into the Gulf of California without rendering any great service to man. We, however, have the power, we have the intelligence, we have the resources to take possession, so to speak, of that river and make it the servant of man—his helpful and obedient servant.

The question is, Shall we do so, and, if so, when? Why should we not do so now without further delay? Why argue longer? Why quarrel over nice questions of law which can be composed and amicably adjusted and composed by future conference?

I repeat, Mr. President, the problem is not a new one. The evidence is abundant; all the questions involved, both engineering and legal, have been considered by Cabinet officers, by commissioners appointed, by engineers selected, by public bodies, by private citizens, and there is really nothing new that can be added to the discussion. If I were to stand here and speak for hours, I question whether I could add anything new to the discussion. Wherefore prudence and common sense dictate that I not long delay the Senate, nor shall I do so.

Not in a spirit of challenge but in candor I ask any Senator to point out wherein any of the upper or lower basin States will be deprived of any legal, equitable, constitutional right by the enactment of the bill before us? I do not forget the rights of the States. I happen to know, as you know, Mr. President, something of the formation of our Government and of the rights, sovereign or quasi sovereign, of the several States of the Union.

I know that when California came into this Union 75 years ago, dressed, I am proud to say, in the garments of freedom, she came in and took her place equal to that of great New York or glorious Virginia. Arizona, when she came in 15 years ago or more, took her place as an equal of her older sisters. But the learning of the Senators from Arizona will find it difficult to point out why Arizona did not freely, voluntarily, with beautiful eyes wide open, concede, if it was within her power to concede or acknowledge, the reserved rights of the Federal Government to certain powers over the territory and the waters of Arizona. I do not seek to embarrass that State nor to offend her; but there is such a thing as a State being estopped, as there is a principle of law and equity which estops an individual. There is such a thing as a State being bound by its own solemn contracts, as men are governed by their solemn contracts. Arizona is bound by the enabling act admitting her into the Union and by her own constitution.

One great difference between Arizona and California was this, which Senators will recall: California never had a Territorial form of government. She just sprang, like Minerva, out of the brain of Jove, and came and rapped at the door of Congress and was admitted as a State without having gone through the preliminary stages of Territorial government. Arizona, however, was a part of the territory which we took over under the treaty of Guadalupe Hidalgo. I pause to remark that in negotiating that treaty with Mexico we made a great mistake. We should have taken all of Lower California, or the line should have been so directed westward as to give us full control of the Colorado River. I further pause to detain the Senate by adding that there was a mistake in running that line. It ought to be some 33 or 34 miles south of its present latitude, namely, on the original line dividing Lower from then Upper California, according to the old Mexican maps and charts. I imagine that an appropriate proceeding might be brought now to correct that territorial boundary.

The point I wish to make, however, is that many of the questions of law raised by Arizona are without merit, for the reason that she consented to all that the Government now proposes to do. I shall not pause to read the provisions in her State constitution or the provisions in the enabling act which brought her into the Union. I believe they have been introduced into the Record; but I invite special attention to these provisions in her constitution:

Twelfth. The State of Arizona and its people hereby consent to all and singular the provisions of the enabling act approved June 20, 1910, concerning the lands thereby granted or confirmed to the State, the terms and conditions upon which said grants and confirmations are made, and the means and manner of enforcing such terms and condi-

tions, all in every respect and particular as in the aforesaid enabling act provided.

Thirteenth. This ordinance is hereby made a part of the constitution of the State of Arizona, and no future constitutional amendment shall be made which in any manner changes or abrogates this ordinance in whole or in part without the consent of Congress.

I have only to add that in and by the enabling act referred to do the United States reserved the right to do what it now proposes to do and what Arizona solemnly agreed might be done.

Therefore I turn from that question, Mr. President; but before doing so I wish to say that I hold myself ready to show that there is nothing in this bill which invades any constitutional right of Arizona, and certainly there is nothing which invades any right of Nevada. I beg to add, with respect for lawyers who have discussed this matter in briefs that have been filed, that there is nothing in this bill which denies to the so-called upper-basin States any constitutional or statutory right.

In other words, if this bill is enacted in its present form, without any amendment, Arizona will not be injured. Nevada will not be injured. Not one of the upper-basin States will be injured. Putting the matter in affirmative form, it will be beneficial certainly to California, certainly to Arizona, certainly to Nevada, and I think in years to come it will be highly beneficial to each and every one of the upper-basin States.

Wherefore, Mr. President, I again ask, Why are we quarreling? Why are we curiously considering legal questions? Why longer delay action?

I do not doubt but that Arizona honestly thinks she is in danger; but in candor and in earnestness I inquire wherein is the danger to that splendid State, made up of splendid men and women? It would be my duty to advocate California's cause perhaps even if it injured others, though I should hesitate to do that; but I am as sure as that I am here that the building of this dam at the point named would not be injurious to Arizona, to Nevada, or to any other State.

What do we hope to accomplish by this proposed legislation? We wish to control the great flood waters of the Colorado River, in order that they may not overflow and inundate and destroy and drown a great section of our State. We wish to divert waters in order to irrigate lands in California; also, if they desire, in Arizona and Nevada. We wish to take water from the great reservoir which will be created and carry it miles westward in order to accommodate the great and growing population of southern California. We wish also, through the desilting of the muddy waters of the Colorado, to relieve the silt danger which causes the filling up of the channel of the river and the filling up of the canals and ditches carrying the water into the Imperial and Coachella Valleys. Do my friends of Arizona see any danger to them in that portion of the enterprise?

In order to carry out this great work money is required. Everything is relative in this world—relatively great, relatively small. Even if the Federal Government should appropriate outright \$125,000,000 for this great enterprise, it would not be an unwise appropriation. But in order to finance this enterprise, to build the dam, to build the canal, to do the necessary engineering work, we propose utilizing the waters in the development of hydroelectric power; so that, as this bill is designed, the whole cost of the completed enterprise will be self-sustaining, without any undue burden upon municipality, corporation, or person and without in any manner embarrassing the Federal Treasury.

My colleague [Mr. JOHNSON], who introduced this bill, has taken counsel of many of the Cabinet officers, as, indeed, I have. The Secretary of the Interior is familiar with every dip and spur and angle of this bill. The Secretary of the Treasury is familiar with all its financial features, or those features of the bill designed to finance the enterprise, and I think I am warranted in saying that the President is not unfamiliar with the framework and the design of this measure. The Secretary of Commerce has had much to do with solving this great problem. I am not authorized specifically to speak for any of those distinguished men, but I am justified in relying upon their printed words, their printed statements; and from those printed words and statements I conclude that they approve of this legislation, that they see in it no danger to individual or to State or to Nation. On the contrary, they see benefits for all.

I realize that I am going over ground plowed and harrowed many times, hence I feel an embarrassment in speaking when it seems to be merely repetition; but I do insist that the bill now before us has been given the most careful study by men deeply interested in the problem, and is here before us with their approval—not that we are to abdicate, not that we are to surrender our judgment, but perhaps it is proper for us to pause and to consider and perhaps be persuaded, perhaps convinced, that they are right in their conclusions.

Therefore, I undertake to say, as I do say, that this measure is workable, is financially workable, is financially self-supporting, and that all this great physical work contemplated can be carried on and finished without any loss to the Federal Government, without any undue burden ever being placed upon the shoulder of municipality, district, or person, artificial or natural. In a word, by the plan made so clear in this bill the work can be carried on and financed. No one need be alarmed, or affect to be alarmed, over the condition of the Treasury, or lest the work can not go on for want of funds, or that it will embarrass any financial program of this or any other administration.

What harm can come to anyone from the passage of this proposed law? Who will be injured? Mr. President, I am assuming that Senators are more or less familiar with the testimony which has been taken. I am assuming, and I think I may, with perfect safety, assume, that they are familiar with the general framework of the bill, and also familiar with the facts which are involved. Therefore I might well pause here. But suffer me to add just a few words.

I repeat, however, for those who may read, that the purpose of the measure is to control the river in the interest of the people of State and Nation; that in order to achieve that great end, a dam is necessary; that the overwhelming testimony is to the effect that the site for such dam is at Boulder, or Black, Canyon; that the building of such a dam will not only control the flood waters, but will also make it possible to divert sufficient water through a canal to be built wholly upon our own territory to irrigate many hundreds of thousands of additional acres of land now fertile, waiting only for water; that it would be possible to carry water across the plains, over the mountains or through tunnels, to the coastal cities of southern California, to meet industrial or domestic needs; that in order to do all this by the utilization of the waters, we develop power, and the sale of that energy, that power, will finance the whole proposition, and possibly in less than 30 years, repay to the Federal Government all the cost of the whole work to be done.

It can be done. The Government can do it in the way suggested in this bill. Why should it not be done? Do private interests object? Wherein are they to be hurt? Not one step is to be taken in the carrying out of this enterprise until the Secretary of the Interior shall have entered into contracts whereby there shall be a return sufficient to pay the current interest on bonds to be issued and ultimately to pay or retire those bonds.

Municipalities, districts, corporations, individuals may apply for and enter into contracts for the purchase of power. No one is to be shut out. There is to be an open field, and therefore I do not see any reason why any interest, corporate or individual, should oppose this measure. Upon the one hand it will be a great blessing. Upon the other I see no injury to any individual or State.

I had hoped that this bill would pass at this session. I have not abandoned that hope. We have several days yet remaining, and I am willing to stay here uninterruptedly to bring it to a vote. What is the use of further discussion?

Mr. President, I repeat myself when I say that to all these legal questions I have devoted earnest thought and attention. I do not enter into a detailed discussion of them, because it would take too much time. As to the questions of fact, I have contented myself with saying that the overwhelming evidence sustains this bill.

So, not to delay a vote or to delay other matters, I am hopeful—very, very hopeful—for the passage of this bill; hopeful that the Senate and the House will act favorably before adjournment. I do not think it necessary to add that my position has long been what I have just now indicated, but I do say to the Senate that for over 30 years I have been familiar with the questions discussed to-day, and at no time have I seen any way to remove the danger of the river save by a high dam at the point named.

I hope that Arizona, I hope that Nevada, I hope that my eloquent friends who are now discussing the bill in the center aisle will agree with me that we should take action during this session of the Senate. I have not especially singled out Utah, with her great Senators and her splendid and noble history, in my comments, but I do say with unfeigned respect, and with no desire to seek reciprocal compliment, that the great State of Utah will suffer nothing by the passage of this measure; and as for Wyoming, the same; and New Mexico the same. Nevada has spoken; Arizona has spoken; and Utah will speak.

Mr. SMOOT. Mr. President, I want to say to the Senator that if I, as one of the Senators from Utah, felt that the passage of this bill would not interfere with the rights of Utah I would

support it, but I am as convinced as that I live that it will, and therefore I must do what I can to defeat it.

Mr. SHORTRIDGE. I appreciate the attitude of the Senator; and if he had been here when I opened my desultory remarks this afternoon he would have heard me say that I did not question the motive of any Senator—that I imputed no wrong or sinister purpose. I may add that there is not one Senator on this floor whose motives I have ever questioned. I realize that honorable men differ, that honorable men may differ as to questions of fact, they may differ as to questions of law; that honorable men may view questions from different angles and reach a different conclusion; but, while that is true, it never is offensive to address an honorable man and undertake to show or to suggest or to convince him that his fears are groundless or that his conclusions are erroneous.

So, while I have read, I think, every brief that has been filed by gentlemen representing the one or the other side of this legislation, and particularly those which I think have emanated, very properly, from Utah, and some from Colorado, and some from other States, and have conversed with the authors of certain of these briefs—and, if I may say so, having devoted 40 years to the practice of the law, I claim a sort of speaking acquaintance with some of its principles—after all this reading and discussion, I repeat, with deference, with respect for the opinions of others, and particularly the Senators from Utah, that I do not see where any present vested right, or any future to-be-acquired right, of Utah particularly, or of any of the upper-basin States, will be imperiled by the passage of this bill.

I am well aware that lawyers learned in their profession may differ, but I have in mind what we term vested rights under State law and under Federal protection. I have in mind what are regarded as rights to be exercised in future. I have in mind that the Congress can not divest a State of a constitutional right. I have in mind that the Congress can not divest an individual of a constitutional right, and, of course, I have in mind that no State can deprive a citizen of a vested right.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I have listened with great interest to the very eloquent answer the Senator has made to the Senator from Utah. It seems to me the Senator has with a great deal of eloquence made a very fine appeal to the Senator from Utah. It hardly seems to me, in the light of that appeal, that the Senator from Utah could remain cold and adamant. I would ask the Senator from California to appeal to him on the basis of regularity. I understand this is an administration measure.

Mr. SHORTRIDGE. I said a moment ago that I was not authorized to speak for the administration or, indeed, to speak for anyone except for my own poor self. But I have come to have a very sincere—and scholars will recall the etymology of that word and its true meaning—regard for the Senator from Utah. He is well advised and informed as to the mechanism of our Government and as to the cost of the maintaining thereof. I do not intend to detain the Senate longer, but since we are in a smiling mood I want to remind my friend from Utah that the dam which we contemplate constructing will cost, say, \$11,500,000. The power-development works it is estimated will cost about \$31,500,000. The canal to carry the water on our own territory, not in part through the adjacent or contiguous territory of Mexico, will cost, roughly, \$31,000,000.

The interest on these several sums, expended as the work goes on, estimated for a period of five years, at 4 per cent, will be the sum of \$21,000,000. This makes in all the small sum of \$125,000,000. Since we are talking of billions and trillions, what is \$125,000,000? The amount does not stagger the imagination or appall the financiers. It can be handled without any difficulty.

That brings me back to the point, however, if all this should be carried out according to the terms of the bill would it imperil the present or future rights of the State of Utah? Without multiplying words or undertaking to give my reasons, which would take too long, I reply or repeat that I do not see how it would in any way take from that State any present vested rights growing out of waters of that river in Utah or how in the years to come it would imperil those rights to be exercised in future.

I am familiar, of course, with the doctrine that the application or use of those waters in the lower reaches might create vested rights which could not be interfered with by use of the waters in the upper States; in other words, that if the dam should be built and waters put to beneficial uses, a vested right to their continued use might spring up and that at some time in the future Utah might wish to use the waters of this river running through Utah and it would be claimed that by so using, the vested rights of the lower States would be imperiled, and hence the necessity, in such an event, of some suit brought in a court of equity to prevent the threatened injury. Upon

that question a great deal can be said, much has been said. But I maintain that the fears entertained by the upper States are groundless.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. SHORTRIDGE. I yield.

Mr. SMOOT. Perhaps at this time it would not be out of place to call attention to a circumstance which happened in the southeastern part of our State. Near Grand Junction, Colo., was a tract of land producing wonderful peaches. In the southeastern part of our State there was a tract of a thousand acres of land which was identical in quality with the tract of land near Grand Junction. Capital was raised, the land secured, and water was to be secured from a waterfall to develop it. A reservoir about 200 feet high was to be built, the water falling over a cliff of about that height. The water ran about four months in the year, but during the remaining eight months of the year the stream was as dry as a bone. But it was thought that by building the reservoir enough water could be impounded to bring the thousand acres of land under cultivation by means of irrigation, and there could thus be produced peaches just the same as were being produced near Grand Junction, Colo.

The land was platted, advertising was begun, and it was thought there was no question about getting the rights from the Government for the use of the water by appropriation.

When application was made for the water, the promoters were denied the use of the water because of the fact that it was a waterfall, a water power, and that when it did run the water went into the Green River and from there to the Colorado River, and that the Colorado River was a navigable stream and hence it was interfering with navigation. The whole scheme had to fall to the ground.

I will say to the Senator now, that I have stood where the waterfall is eight months in the year dry, and the place was as dry as a bone, and yet because we wanted to use the water, and a little of that water during four months of the year went into the Green River and then into the Colorado River, we were held to be interfering with navigation.

The burnt child always dreads the fire. I want to say now that if there be utilized the 12,000,000 acre-feet of water and the power plant at the proposed Boulder dam and it runs on for years and is used without question, then whenever we may want the proportion of the 5,000,000 cubic feet of water over and above what the contract calls for in the lower basin States, we will find that it is not there, and we will be denied it, and in the denial there will be involved all of that southeastern part of our State. The Moffat Tunnel is completed; I believe there is a celebration to-day of the completion of the tunnel; and a railroad will be constructed into that section of the country and then we can have people there to develop the land. But if that water is taken away from us, the land will remain just as it is to-day, almost a barren wilderness. I know the Senator does not want to bring about that situation. I have just as much love for the State of California as I have for any other State in the Union. I love to go there. I will do anything for her people that I can, but when it comes to a question of my State suffering, I must enter my protest as long as such a condition exists.

Mr. SHORTRIDGE. Replying to the earnest words of the Senator from Utah, permit me to say in the nature of repetition that I think his fears are altogether groundless, that the rights which might be acquired by the building of a dam and the beneficial use of the waters would be acquired as subservient to existing and future rights of the upper States, that all contracts entered into or rights springing out of the contracts would be subservient to the rights of those upper States. Yet his fears, although groundless, are perhaps natural and I shall not quarrel with him.

I now conclude with the expression of the hope that we can get a vote and pass the bill during this session of the Congress.

NAVAL APPROPRIATION BILL—CONFERENCE REPORT

Mr. HALE. Mr. President, I now renew my request for unanimous consent to take up the conference report on the naval appropriation bill.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Is there objection to the request of the Senator from Maine?

Mr. JOHNSON. As I understand it, the pending unfinished business will be laid aside temporarily, and I have the assurance of the Senator from Washington [Mr. DILL], who desires to speak upon the subject, that he will speak very briefly.

The PRESIDING OFFICER. There being no objection, the unfinished business is temporarily laid aside and the Chair lays before the Senate the conference report on the disagreeing votes

of the two Houses on the bill (H. R. 15641) making appropriations for the Navy Department and the naval service. The report will be read.

The Chief Clerk read the conference report.

Mr. HALE obtained the floor.

Mr. BLEASE. Mr. President—

Mr. HALE. I yield to the Senator from South Carolina.

Mr. BLEASE. I want to inquire what became of the amendment relating to the three additional cruisers?

Mr. HALE. The conferees could not agree upon the amendment and it is to be voted on in the House.

The PRESIDING OFFICER. The Chair will inform the Senator from South Carolina that that matter is still in conference.

Mr. WATSON. What are amendments numbered 25 and 27?

Mr. HALE. No. 25 is the amendment relating to the three cruisers which was adopted by the Senate. The conferees could not agree on the amendment, and it is to be taken to the House for a separate vote. Amendment No. 27 is the labor amendment, which comes up every year. The conferees had no power to agree on it, and it has to be voted on in the House.

Mr. ROBINSON of Arkansas. Mr. President, can the Senator from Maine state to the Senate the situation respecting the so-called three-cruisers amendment and the possibility of an agreement regarding it?

Mr. HALE. There is no prospect of an agreement among the conferees on that amendment. It has to be voted on in the House.

Mr. ROBINSON of Arkansas. When do they expect to have the vote taken?

Mr. HALE. That I can not tell the Senator. I presume as soon as the papers are returned to the House the vote will be taken.

Mr. SWANSON. The purpose is to insist on the Senate amendment. The House conferees can then move to concur in the Senate amendment, and if that motion is agreed to it would end the matter.

Mr. BLEASE. If we adopt this part of the conference report, then all the House has to do is to refuse to agree to the other amendment and the bill will become a law.

Mr. ROBINSON of Arkansas. Oh, no; the Senator from South Carolina is in error about that. If no agreement is reached respecting the amendment, the bill would not go to the President until some concurrent action was taken by the two Houses respecting the amendment. This is the usual motion, as I understand, that is made in cases where only a partial agreement has been reached?

Mr. SWANSON. The effect of the motion of the Senator from Maine, if agreed to, would be to confirm what the conferees have agreed on.

Mr. BLEASE. That is all right.

Mr. SWANSON. Then the Senator from Maine will make the motion to insist on the amendments still in disagreement between the two Houses, and the question will go back to the House. If the House recedes from the Senate amendments, then the bill will be passed and it will mean that the three cruisers will be included. If, however, the House insists on its disagreement to the Senate amendments, then the bill goes back to conference.

Mr. BLEASE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield further?

Mr. HALE. I yield.

Mr. BLEASE. Mr. President, there have been so many different constructions of the rules of the Senate by various presiding officers that I desired to have it understood just what was meant by the action proposed. That is why I asked the question. I do not wish to vote to adopt the conference report if it eliminates the appropriation for the three cruisers.

Mr. HALE. I think the Senator from South Carolina may feel that I am just as anxious as is he to get the three cruisers.

Mr. BLEASE. Very well. Then the Senator and I are partners in relation to that matter.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. DILL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Washington?

Mr. HALE. I yield to the Senator from Washington.

Mr. DILL. Mr. President, the conference report eliminates the amendment which I offered and which was accepted by the Senator from Maine to prohibit the use of naval radio stations for other than official business, excepting Weather Bureau reports and time signals. I recognize, of course, that it would

be futile for me to attempt to hold up the conference report because this amendment has not been included, and I do not know that I should want to attempt to do that if I had the power, but I wish to say just a few words about the use of naval radio stations.

Since the amendment was adopted by the Senate, I have been visited by a number of persons who tried to convince me that they had a right to use the Government naval radio stations, because of the things they wanted to do. It is only an example of people wanting something for nothing.

The naval radio stations are established for the use of the Navy. Under the radio bill which was passed by both Houses and which will be signed by the President probably in a day or two the President has authority to take any wave length, any frequency, that he sees fit in time of peace and give it to the Government stations. I think that is a proper power to be exercised in behalf of the Navy, but I object to these stations being operated at the expense of the Government for the interest of private parties or in the interest of causes for which private parties may want to carry on propaganda. The Pan-American Union claims that it should be permitted to use the naval radio stations because it is said the Government pays a certain percentage of the expenses of the Pan-American Union, and if we do not permit it to use these stations it will involve that much more expense to the Government in the end. The Public Health Service wants to do certain broadcasting; the Naval Hospital representatives want to discuss certain subjects over the naval radio. Then there are persons who say that they have organized patriotic societies, and they want to broadcast patriotism from the naval radio stations. The difficulty with broadcasting patriotism is that individuals or groups of individuals put their own interpretation upon what patriotism means.

Either the naval radio stations should be confined to Government business for which they are established or there should be rules and regulations requiring them to permit both sides of any public question to be discussed. If the Government is to pay for the operation of these stations when they are being used for public discussion, then the public should hear both sides. Personally, I do not believe that they should be so used, and I hope that the officials of the Navy Department will not think that because this amendment has been dropped out and no further protest or effort is made to keep it in the Senate has no interest in that subject or that it is an authorization by Congress to open up these radio stations for this purpose.

It is worth recalling now to the Senate that in the radio bill there was originally a provision that would have permitted the naval radio stations to be used for commercial business when they were not being operated for private business, but such a strenuous opposition was raised to that provision because its opponents stated that the Government radio stations would be going into competition with private radio stations that we struck it out; yet we leave in this proposed law a provision that will permit those stations, which are paid for by the Government, to be operated by private parties without pay. We struck from the radio bill a provision that would have permitted the Government stations to make far more than enough money out of the commercial business to pay the expenses of running them, but we now propose to make an appropriation for the use of naval radio stations and leave it within the discretion of the Secretary of the Navy to permit private parties to use them for nothing.

Mr. ROBINSON of Arkansas. Will the Senator from Washington yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. DILL. I yield.

Mr. ROBINSON of Arkansas. I wish to ask to what extent are these naval radio stations used by private persons or for private purposes?

Mr. DILL. They have not been used to a great extent. It is the beginning of the practice that I hope to stop, and I am also hoping that the fact that this amendment was submitted and accepted by the Senate and the discussion I am now making will be sufficient to prevent a repetition of the use of these stations by private parties. If such shall not be the result, I shall feel at the next session of Congress constrained to insist upon legislation that will protect the public against this kind of private propaganda.

Mr. ROBINSON of Arkansas. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield further to the Senator from Arkansas?

Mr. DILL. I yield.

Mr. ROBINSON of Arkansas. The Senator from Washington has stated so clear and strong a case that I am wondering what

is the other side, what justification there can be for opposition to his proposal.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Maine?

Mr. DILL. I yield.

Mr. HALE. I think I can answer the question of the Senator from Arkansas. The conferees investigated this matter very carefully and found that objections were made to the amendment of the Senator from Washington. In the first place, it was contended that it would prevent the Public Health Service making statements over the radio; in the second place, that it would deprive the Pan American Union of the opportunity of broadcasting South American music, which has been done in the past; and, in the third place, that it would prevent the broadcasting of concerts given for the benefit of the men on the ships. We found that there were many activities that were affected and we were afraid that others might develop that we knew nothing about. So we could not reach any intelligent agreement.

I entirely approve of what the Senator from Washington has stated, and I think his statement has served a good purpose.

Mr. ROBINSON of Arkansas. Let me suggest to the Senator from Maine that it would seem a modification of the amendment could have excepted from its provisions those instances which he has cited and still have left the amendment in the bill with sufficient force to protect against the use of public instrumentalities for private purposes.

Mr. HALE. The conferees felt, Mr. President, that we did not know enough about the exceptions that might come up and that we ought to take care of to enable us to legislate intelligently. We therefore had to leave the amendment out.

Mr. DILL. Mr. President, I may add that there is something to be said for the Public Health Service broadcasting some programs. I myself think there is very little to be said for the Pan American Union being permitted to use a naval radio station free of charge. As to the concerts for the men on the ships there is not anything to be said for them, because there are so many concerts on the air all the time that putting any more on by naval radio stations would merely tend to add to the confusion now existing.

Mr. HALE. The matters I have referred to were those which were especially brought to our attention.

Mr. DILL. As I have said, it is a practice which has not been carried to such an extent that I feel justified in delaying the conference report or insisting upon the amendment being included in the bill this year.

Mr. SWANSON. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Virginia?

Mr. DILL. I yield.

Mr. SWANSON. I fully agree with the Senator from Washington that the Navy ought to make regulations regarding its radio stations so as to prohibit their use for private propaganda. If, however, we had adopted the amendment, we might have legalized in some way something that ought to be excluded. I think we asked the Senator from Washington to prepare an amendment that would cover all cases and take care of the situation, but we did not have time to look into it, and we reached the conclusion that we had better wait until next year so that we might know better what we were doing and know what we were excluding and what we were making legal. We realized that we might do an injustice, but we realized at the same time that the naval radio stations should not be used for the purposes suggested by the Senator from Washington. If the Navy shall not make proper regulations to prevent in the future abuses in connection with the use of the naval radio, I fully agree with the Senator from Washington that Congress itself ought to make such provision.

Mr. DILL. Mr. President, I shall not delay the Senate further, but I wanted to make these observations so as to make it clear that the offering of the amendment was not an idle gesture on my part, but that there was a real basis for the amendment. I regret that some amendment of this nature was not included in the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HALE. Mr. President, I move that the Senate further insist on its amendments numbered 25 and 27.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine.

The motion was agreed to.

BOARD OF VISITORS TO PHILIPPINE ISLANDS

Mr. BINGHAM. Mr. President, will the Senator from Arizona yield to me?

Mr. CAMERON. Does the Senator wish me to yield for a question or for a speech?

Mr. BINGHAM. I do not desire to make a speech, and wish the Senator to yield to me only for a moment. I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate consider Order of Business No. 1242, being the bill (H. R. 4789) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands. If the bill shall lead to any debate I will withdraw it. I have been asked by the chairman of the House committee to secure action on the bill. It is a House bill which passed that body in June last.

The PRESIDING OFFICER. Without objection, the bill will be reported by the clerk for the information of the Senate.

Mr. JOHNSON. Mr. President, I shall object if the bill leads to any debate or the consumption of time.

Mr. BINGHAM. I shall withdraw the request if the bill leads to debate.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The bill was read.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ROBINSON of Arkansas. Mr. President, I understand the report is unanimous?

Mr. BINGHAM. The report from the committee is unanimous.

Mr. ROBINSON of Arkansas. I have no objection.

Mr. BINGHAM. Mr. President, there is a short amendment which I should like to offer to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BINGHAM. There is a short amendment which I should like to offer to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 19, it is proposed to strike out the period and insert a comma and the following words:

which shall be paid, three-eighths out of the contingent fund of the Senate and five-eighths out of the contingent fund of the House of Representatives, upon vouchers, countersigned by the chairman of said board, and approved by the Committee to Audit and Control the Contingent Expenses of the Senate and the Committee on Accounts of the House of Representatives, respectively.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas object to the present consideration of the bill?

Mr. CURTIS. No; but if the bill proposes to take money out of the contingent fund it must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate under the law.

The PRESIDING OFFICER. The point is well taken. The bill will be referred—

Mr. ROBINSON of Arkansas. Mr. President, I suggest to the Senator from Connecticut that he withdraw his amendment.

Mr. BINGHAM. I desire to withdraw the amendment.

Mr. JONES of Washington. I wish to ask, Does this bill provide for a trip to the Philippine Islands?

Mr. BINGHAM. This is a bill which came over from the House last June and has been reported unanimously by the Senate committee providing for a board of visitors to the Philippine Islands.

Mr. JONES of Washington. Who is to constitute the board of visitors?

Mr. BINGHAM. It is provided in the bill that the board shall consist of three Members of the Senate and three Members of the House of Representatives.

The PRESIDING OFFICER. Does the Senator from Washington object to the consideration of the bill?

Mr. JONES of Washington. I think the bill had better go over.

The PRESIDING OFFICER. Under objection the bill will go back to the calendar.

LOWER COLORADO RIVER BASIN

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3331) to provide for the protection and development of the lower Colorado River Basin.

Mr. CAMERON. Mr. President—

Mr. BRUCE. Mr. President—

The PRESIDING OFFICER. The Senator from Arizona has the floor. Does the Senator from Arizona yield to the Senator from Maryland?

Mr. BRUCE. I do not think it would be fair to ask the Senator to yield to me. I was going to make a motion to take a recess. Mr. President, I move that the Senate take a recess in accordance with the unanimous-consent agreement.

Mr. JOHNSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Edwards	McKellar	Robinson, Ark.
Bingham	Ferris	McNary	Robinson, Ind.
Blease	Frazier	Mayfield	Sackett
Borah	George	Metcalf	Schall
Bratton	Hale	Moses	Sheppard
Broussard	Harris	Neely	Shipstead
Bruce	Harrison	Norbeck	Shortridge
Cameron	Hawes	Norris	Smoot
Capper	Heflin	Nye	Stewart
Caraway	Howell	Oddie	Swanson
Copeland	Johnson	Phipps	Trammell
Couzens	Jones, Wash.	Pittman	Walsh, Mont.
Curtis	Kendrick	Randall	Warren
DeHeen	Keyes	Reed, Mo.	Watson
Dill	King	Reed, Pa.	Wheeler
Edge	La Follette		

Mr. BLEASE. The senior Senator from my State [Mr. SMITH] is absent on account of illness in his family.

The VICE PRESIDENT. Sixty-three Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Maryland.

Mr. BRUCE. I made a motion to recess in accordance with the unanimous-consent agreement.

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland. The motion is not debatable.

The motion was rejected.

Mr. CAMERON. Mr. President, I think I have the floor.

The VICE PRESIDENT. The Senator from Arizona.

Mr. CAMERON addressed the Senate in continuation of the speech begun by him yesterday. After having spoken for about five minutes,

Mr. WHEELER. Mr. President, will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Montana?

Mr. CAMERON. I yield to the Senator from Montana.

Mr. WHEELER. I desire to send to the desk a conference report and ask for its immediate consideration.

Mr. JOHNSON. Mr. President, I am compelled to object temporarily. I will explain to the Senator subsequently.

Mr. WHEELER. This will not take a second.

Mr. JOHNSON. I realize that; but, at the same time, it is obvious that an endeavor is being made here to indulge in dilatory motions, and I do not wish business to intervene; so I object, Mr. President.

Mr. CAMERON resumed his speech, which is as follows:

Mr. President, when all the facts in this extraordinary evolution of the Fall-Davis report plan for flood control are known and understood, no reason can be found for the plan that has been adopted except that it was a deeply laid conspiracy to devise a plan whereby more than a million acres of land in Mexico should be provided with water for its reclamation at the expense of Arizona.

In other words, when the bill now under consideration is understood, it presents but one issue which stands head and shoulders above all others in national importance, and that is—

Shall the United States of America spend \$125,000,000 to transplant Asiatic competition from Asia to America, put more than a million acres of Mexican lands under Asiatic cultivation, plant Asiatic factories manned by Asiatic coolie labor in a world seaport at the back door of southern California and Arizona, and establish an Asiatic-controlled airplane base at the head of the Gulf of California, only 330 miles from Los Angeles, 150 miles from Phoenix or Tucson, and 440 miles from El Paso, and breed an Asiatic-American war to be launched from that airplane base?

The mere statement of that issue must command the instant and absorbed attention of every Member of this Senate. No person in the United States can afford to ignore it. When once known, that issue can not be subordinated to any of the minor purposes or benefits claimed for this bill.

The advocates of the bill must face that issue; and the whole sordid, unpatriotic, cold-bloodedly selfish and treasonable scheme that resulted in the selection in the Fall-Davis

report of a dam site at Boulder Canyon must be stripped of its shroud and exposed in all the foul nakedness of its pestilential and rotting corpse.

I say that without temper or exaggeration. The scheme is a rotting corpse. It is dead to-day, because the evil of it, the wickedness of it, the desperate national danger from it, are slowly seeping into the public mind, and before this year has come to an end it will stink to high Heaven.

It is only necessary that the facts should be known to the Senate in order that this hearing should be the funeral services over the grave of this most nationally potential evil purpose that ever possessed the mind of man; and I shall present those facts to this Senate step by step, incident by incident, in all their brazen and traitorous nakedness, stripped of every subtle deception and cunning concealment.

I know that the Senate will gladly give the time necessary for that exposure, but I ask for more than that. I ask for your earnest and absorbed personal attention and interest, so that no Member of this body will need to vote on this measure without knowing the whole chain of facts that prove the scheme to put a profit of anywhere from \$100,000,000 to \$500,000,000 into the pockets of its promoters as the fruits of a treasonable conspiracy.

I have made these deliberate charges against the originators and beneficiaries of this Asiatic-Mexican conspiracy at this point, Mr. President, in order that this Senate may realize and understand the almost inconceivable importance of this measure to the whole people of the United States.

You are sitting here in judgment on the question whether the future of one of the sovereign States of this Union, my own State of Arizona, shall be ruined in order that a group of speculators in Mexican lands shall be enabled to profit enormously by putting through a treasonable scheme to rob Arizona of the waters of the Colorado River to irrigate more than a million acres in the delta of the Colorado River in Mexico; and upon your decision in that case depends the national safety of the United States of America. No one can deny or evade or side-step that fact when we know that the theft of those waters is for the purpose of bringing into existence an Asiatic colony, industrial city, and airplane base in Mexico, under Asiatic domination and control, and inevitably breed the war with Asia that will result from that appalling national folly on our part.

First, I shall briefly sketch the remaining facts that complete the plan I propose for protecting the Imperial Valley from floods by the construction of one great flood-control emergency impounding basin on the Colorado River. Then, I shall step by step lay before the Senate the facts sustaining every charge I have made as to the primary and ultimate purpose of the originators of this Boulder Canyon scheme.

If we are to separate flood protection for the Imperial Valley from this most shameful attempt to rob Arizona for the benefit of a cabal of conspirators owning a principality in Mexico and lay the foundation for a war with Asia, launched from an Asiatic-controlled airplane base at the head of the Gulf of California in Mexico, we must recognize that the model for the plan for flood control by a storage dam on the river must be patterned after the Miami River system of storage reservoirs that have been built for flood control only and are merely emergency flood-impounding basins. They are designed for use in no other way than for flood control.

Since the Boulder dam iniquity was launched in the Albert B. Fall-Arthur P. Davis report, the struggle we made to break through the cordon of obstructions that were put in our way finally resulted in a complete survey of the Colorado River for dam sites by a survey party, put in the field by the United States Geological Survey under the command of Colonel Birdseye, Chief of the Topographical Bureau of the Geological Survey.

That party went down through the Grand Canyon of the Colorado and surveyed every reservoir site between the north line of Arizona and the international boundary line.

The party was a completely equipped surveying party. They risked their lives in order that we might get the facts that had been ignored in the Fall-Davis report and know whether the plan proposed by that report could survive the knowledge of the complete investigation made by the Birdseye party of Government surveyors.

The way this remarkable report, made by the Geological Survey in 1925, three years after the Fall-Davis report, has been utterly ignored by the proponents of the Boulder dam scheme is one of the most extraordinary facts connected with this effort to rob Arizona of her birthright for the benefit of a group of American land speculators in Mexico, most of whom live in Los Angeles.

In order that the completeness, the thoroughness, the fairness, the absolute and unqualified dependability and safety as a guide of this United States Geological Survey and report shall be conclusively brought before the Senate, I want to read just a few words from it, to show what Secretary of the Interior Work said about this wonderfully able and valuable work of his department.

The report is entitled:

United States Geological Survey Water Supply Paper, 556, by E. C. La Rue, with a foreword by Hubert Work, Secretary of the Interior.

I read from that foreword:

FOREWORD

By Hubert Work, Secretary of the Interior

The Department of the Interior is authorized to investigate, through the Geological Survey, and report on the natural resources of the country, including minerals of various kinds and sources of water available for use in irrigation, the development of water power, industrial processes, and municipal supplies. The whole task is enormous and necessarily must be accomplished in parts. The endeavor is made to so plan the investigations that information will be available as needed, and the results accomplished are being used extensively as a basis for the safe and sane development of the public domain and for the classification of Government lands with respect to their entry and use under the public land laws. This work will be completed only when all our natural resources have been examined, and the map of our country is made to show their location, magnitude, and value.

Congress has recently provided in the Temple Act for a program of mapping which is designed to complete the topographic map of the country in 20 years. In the interest of economy and efficiency it is planned in connection with this program to make such detail surveys of rivers and of dam, reservoir, and power sites as to afford an adequate topographic basis for comprehensive plans for controlling and utilizing the water resources of the country. This topographic basis must be supplemented by adequate records of river discharge and engineering and geologic investigations.

Study of water resources must of necessity anticipate by many years the needs of development, because surface streams vary widely in their discharge, and safe and economical design of hydraulic structures must be based on records showing maxima, minima, and average yields of rivers over long periods. In wise anticipation of the utilization of Colorado River, the Geological Survey began many years ago to collect records of discharge of the river and its tributaries, and as funds were available it has made surveys of stretches of river in this basin to show sites for possible reservoirs, water-power plants, and diversion dams, routes for canals, and the location of irrigable lands. The information thus collected has been published in the survey reports and maps and particularly within the last few years has been largely utilized in the formulation of projects for the control and development of the resources of Colorado River, which constitute perhaps the greatest undeveloped asset of several States.

Maps showing the topography of the canyons and gorges, the position of the rapids, and especially the sites for dams that would be valuable either for the creation of storage reservoirs or for the development of water power have also recently been published.

The most urgent needs of development relate to flood control, in order that lives and property on the lower river may not be subjected to the annual menace of destruction. I am concerned for the future of the people who are menaced by floods inadequately controlled, and I entertain a lively sense of the necessity and the importance of conserving this magnificent potential natural resource for the great waiting territory that is to be directly benefited, for the benefits will also extend to the United States as a whole.

The Colorado River Basin has been under observation, survey, and study and has formed the subject of reports to Congress since the end of the Civil War. The program of investigations initiated by the Geological Survey is now substantially completed. Maps of Colorado River and its tributaries are available from the headwater region to the Mexican boundary, and records of stream flow in the basin have been placed on a sound, continuing basis. When a modest program of preliminary drilling at apparently favorable dam sites shall have been completed, the time will have arrived when the Government should decide on at least the main features of a comprehensive plan of development by which this great river, now a natural menace, may be converted into a national resource.

This report was not the first report made by E. C. La Rue on the Colorado River. The first report by him, United States Geological Survey Water Supply Paper 395, was made in 1916.

The map in that report (Plate XIII, Water Supply Paper 395) showed the Glen Canyon reservoir and its wonderful extent as a flood-storage reservoir, and the report, on page 194, contains a table showing the run-off from above Glen Canyon at the mouth of the Paria River near Lees Ferry, Ariz., as compared with that at Yuma, to be 92.5 of the total flow passing Yuma.

In other words, more than 90 per cent of the flood flow of the Colorado River that forms the floods at Yuma and menaces the Imperial Valley comes from above Lees Ferry, above the Glen Canyon dam site and would be controlled by a flood-control dam at Glen Canyon.

Yet, in the Fall-Davis report, issued in 1922, no locality for a flood-control dam in the basin of the Colorado River is shown on the map of that basin, forming plate 1 of the Fall-Davis report, between Boulder Canyon at the lower end of the Grand Canyon and the Flaming Gorge dam site on the Green River, at the north line of Utah and the Dewey site on the Grand River almost up to the Colorado line in Utah.

Now, we have the Geological Survey report, the second La Rue report, Water Supply Paper 556, in which the whole plan for the control of the floods for the benefit of the lower basin is based upon a great flood-control dam at Glen Canyon. No report was ever submitted for the information of Congress in which the facts are more thoroughly and exhaustively set forth as a basis for the recommendations of the report than is the case with this La Rue report. I present it as the foundation for the recommendation that forms the final suggestion of the things that should be done with all possible expedition for the prevention of a devastating flood in the Imperial Valley and all the other valleys I have named that are in need of flood protection on the lower Colorado River.

My suggestion is based not only on the report but also on the testimony before the Senate committee, in which Mr. La Rue sustained the conclusions and recommendations of the report. The essential facts that prove the wisdom in its recommendations were further proved, in my judgment, by the statement of Mr. Weymouth, a former Reclamation Service engineer, who was called as a witness in behalf of the Boulder dam. It was Mr. Weymouth who brought out the fact that the proposed dam at Black Canyon, which must always be remembered as the dam proposed by the advocates of the Boulder Canyon dam scheme, would only provide available storage of 15,500,000 acre-feet.

In the years when the river reaches a flow of over 25,000,000 acre-feet in one year and the earlier stages of the annual flood of the river fill that reservoir full to the brim and the full flood flow of over 200,000 second-feet keeps right on coming down the river for weeks afterwards, is it not manifest that the reservoir of the so-called Boulder Canyon project would be filled by the flood during its early stages? The later flow from the same flood would go right over the Black Canyon dam and raise the river to a height against the Imperial and Yuma Valleys just as high as that to which it would have gone if there had been no reservoir built at Black Canyon dam for flood protection.

For these reasons, and other reasons that I shall hereafter present, I insist that the only way to afford protection for the Imperial and Yuma and other valleys by a flood-control reservoir, without entanglements that will delay it beyond the time when such protection must be had, is for the Federal Government to base its plan for immediate action upon the Glen Canyon dam for flood control.

An appropriation should be made at this session of Congress requiring the Army engineers to make a survey, additional borings for bedrock where necessary, and an investigation, plan, and estimate of cost of a flood-control dam at Glen Canyon without any thought of using the dam immediately for any other purpose than flood control.

With that report before it at the next session of Congress the Congress of the United States can work out a plan for the immediate construction by the Federal Government of this Glen Canyon flood-control dam.

The estimates of the cost of the proposed Sentinel flood-control dam do not go over \$5,000,000 and the estimates of the cost of the Glen Canyon dam that are available do not go over \$50,000,000.

The value of the resources created or made available for development by the building of the Glen Canyon dam runs into the billions of dollars.

I shall return to that point later in my remarks, and fully outline and specify those resources and their stupendous magnitude as they will be rescued from waste and brought within the scope of public or private enterprise by the building of the Glen Canyon dam as a flood-control dam by the Federal Government.

At this point I want to emphasize and drive home the fact that the flood-protection plan suggested by me for the Imperial, Yuma, and other valleys of the lower basin of the Colorado River, is more complete than the Boulder dam scheme, guarantees better security, and will bring assured safety immediately, and permanent immunity in much less time than the Boulder dam scheme.

Furthermore, I want to emphasize and drive home, right here and now, the fact that the plan I propose, every feature of it, every appropriation to be made, every structure to be built, is clearly and unquestionably within established policies and functions of the Federal Government.

It disentangles flood protection from the wholly unjustifiable effort to deprive Arizona of her constitutional rights as a sovereign State, of her greatest agricultural asset in the form of the waters of the State and their use within the State.

It puts Arizona on a par with all the other States of the basin as a participator in benefits without being deprived of basic rights.

It creates no entanglements with reclamation, either in Mexico or in the Imperial Valley.

It involves flood control in no controversy as to public or private development or distribution of hydroelectric power.

It is a clean-cut, simplified method of providing immediate and permanent flood protection—leaving other controversies to be fought out by themselves.

And it places the proponents of reclamation in the Imperial Valley, the proponents of the all-American canal, the advocates of a system for furnishing domestic water for Los Angeles and other southern California cities, the beneficiaries under the plan for furnishing hydroelectric power for southern California, not in a worse, but in a better position to press their claims for those benefits from the development of the Colorado River than they are, or ever can be, under the Boulder dam scheme or any scheme like it that necessitates giving water to Mexico that ought to be used in Arizona.

The things I am now urging for flood protection are:

1. Immediate flood protection to safeguard against this year's flood on the Colorado River.

2. A perfected permanent levee system affording protection from both the Gila and the Colorado while flood-storage emergency impounding basins are being built on those rivers.

3. An emergency impounding basin on the Gila River at Sentinel.

4. An emergency impounding basin on the Colorado River at Glen Canyon, in accordance with the complete plan for the development of that river recommended in the La Rue report, Water Supply Paper 556.

Each and every one of these propositions is necessary for flood safety in the Imperial Valley.

Not one of them can be omitted without endangering that community and all its property and lives.

The first proposal, protection against this year's flood, is unprovided for in the Swing-Johnson bill.

The second proposal, a perfected levee system pending the construction of flood storage reservoirs, is ignored in the Swing-Johnson bill.

The third suggestion, an emergency flood-storage basin to safeguard against floods from the Gila, finds no place in the Swing-Johnson bill, which makes no provision to safeguard against the Gila River floods.

As a flood protection measure the Swing-Johnson bill fails to meet the necessities for protection for the flood-menaced communities it claims to protect.

It fails to do that, not only because the three last above specified necessities for complete flood safety are not provided for, but also because the Boulder Canyon project, with the reservoir formed by the Black Canyon dam, affords only 15,500,000 acre-feet of available storage, which is not enough to insure safety in years of excessive flood.

In the 22 years covered in Table No. 6, at the bottom of page 5 of the Fall-Davis report, there were six years when the annual flow of the river equalled or exceeded 20,000,000 acre-feet a year, and in one year it exceeded 25,000,000 acre-feet.

The Glen Canyon site for a flood-storage dam will create a reservoir capacity at a height of 693 feet of 50,501,260 acre-feet. At a height of 573 feet the available reservoir capacity would be 26,749,950 if used only for flood control. The Black Canyon dam, at a height of 552 feet, would nominally create a total of 26,000,000 acre-feet of storage, but of this 10,500,000 acre-feet would be dead storage, leaving only 15,500,000 acre-feet of available storage.

This comparison clearly shows the immense superiority of Glen Canyon over Black Canyon for flood storage. Let me again call attention to the fact that the site for a dam at Boulder Canyon has been abandoned and is no longer under consideration.

We hear constantly about the Boulder Canyon dam, but there is to be no Boulder Canyon dam. The only dam proposed now is at Black Canyon, 40 miles farther down the river, where the elevation above sea level is 60 feet lower than at Boulder Canyon.

The Glen Canyon dam will create such vast potential natural resources and wealth that it needs no support from any of the sources from which it is proposed to repay the Government for its investment in the construction of the Black Canyon dam. It can stand absolutely on its own bottom, so far as that is concerned.

The urgent and imperative need for an emergency flood-storage basin or reservoir on the Colorado River for the benefit of the lower basin of that river would fully warrant the building by the Federal Government of the Glen Canyon dam to the full height of 693 feet, thereby providing a total storage of over 50,000,000 acre-feet.

The wonderful horseshoe formation at Glen Canyon makes it one of the most remarkably well-adapted reservoir sites in the world. The La Rue report, Water Supply Paper 556, Plate V, and photographs opposite page 22, give a graphic conception of the advantages of this now far-famed reservoir and dam site, and on the same Plate V there is a diagram giving the elevation above sea level, the area in acres, and the capacity in acre-feet of the Glen Canyon reservoir at progressive elevations up to a height of dam of 773 feet, at which height the reservoir would have a capacity of 72,045,060 acre-feet.

The Glen Canyon dam, being built for flood control and flood immunity, would render entirely unnecessary any other dam below on the Colorado River for flood storage, unless the Mohave dam was advisable as an additional safety against the possible breaking of any of the dams that will ultimately be built to fully utilize the hydroelectric potentialities of the Colorado River.

The vast expenditures of the Federal Government on the Mississippi River for flood protection, running into the hundreds of millions of dollars; its expenditures in the Appalachian region for national forests, having for their primary purpose the prevention of flood run-off; and other expenditures for flood control form a conclusive precedent for the building of the Glen Canyon dam as a purely flood-control structure, like the Miami River emergency flood-impounding basins.

In addition to this, however, the dam at a height of 693 feet would serve all flood-control purposes and at the same time create nearly 200 miles of navigable channel, forming a connecting link between railroads in Arizona and those in Colorado and Utah.

I quote from page 5 of Water Supply Paper 556:

A dam in Glen Canyon will make easily accessible by motor boat 150 to 200 miles of river above, including besides Glen Canyon, the wonderful Rainbow Bridge, and many beautiful canyons of tributary streams.

It will standardize the flow of the Colorado River so as to make available for development by either public or private enterprise a total potential resource of hydroelectric power aggregating close to 4,000,000 primary horsepower.

It will so regulate the flow of the river that the reclamation of 3,000,000 acres of land in Arizona, by building a diversion dam at Glen Canyon and the Arizona high-line canal can be financed and carried out by private enterprise, if the Government itself should ultimately decide that this development should be left to private enterprise. The building of the Glen Canyon dam makes the plan feasible by either private, State, or national agencies or by a combination of them.

If the Glen Canyon dam, to a height of 693 feet, creating 50,000,000 acre feet of storage, were known to be an assured fact—known to be an absolutely certain Federal structure to be built without delay—it would, in my judgment, remove every objection on the part of Arizona to any of the provisions which the upper basin States have contended for in the Colorado River compact for their own benefit or protection.

Every provision in the compact relating to Mexico, or the use of surplus or any waters in Mexico, or the provision by Arizona of any part of a deficiency in Mexico, will have to be eliminated from any compact if it is desired to secure the approval of it by the State of Arizona.

But I believe that Arizona would approve the provision reserving 7,500,000 acre-feet annually for the upper basin, and the provision that the upper basin might furnish that in 10-year periods, and the provision that present perfected rights under the laws of prior appropriation shall be traded for reservoir rights, if it were known, beyond any possibility of doubt, that the Federal Government would build the Glen Canyon dam to the required height of 693 feet without delay.

If the Glen Canyon dam were assured, and the proponents of the Swing-Johnson bill still desired to "fight it out on that line" all they would have to do would be to substitute Bridge Canyon for Black Canyon in their bill, and go ahead.

They would have to go 50 miles farther for the power, but that would be more than offset by greater advantages to southern California and Los Angeles.

The Mulholland plan for domestic water for Los Angeles and other cities proposes to use up forever over 200,000 horsepower to pump the water over Shavers Summit. It would have to be pumped 1,400 feet. That is a stupendous undertaking and a stupendous waste of power perpetually, because, from Bridge Canyon the water can be taken to Los Angeles by gravity.

If southern California were allotted half the water at Bridge Canyon, and wanted to drop it over the dam there for power and let it run down the river to be diverted onto lands in California, lower down, that half of the water at Bridge Canyon would develop more power than all the water at Black Canyon.

At Black Canyon the total power development would be only 550,000 horsepower.

The La Rue report, Water Supply Paper 556, gives the power development at Bridge Canyon on pages 75 and 77.

Now note the advantage the Bridge Canyon dam has over the Black Canyon dam for power:

If the Bridge Canyon dam were temporarily built to a height of only 566 feet—14 feet higher than the proposed 552-foot dam at Black Canyon, one-half of the water falling over the Bridge Canyon dam would develop 507,500 horsepower for southern California and save over 200,000 horsepower by making it possible to take the water to Los Angeles by gravity.

The Bridge Canyon dam would undoubtedly as soon as practicable be raised to its full height approved by La Rue of 825 feet, creating a static head of 785 feet. Then the half of the water going over the dam would develop 640,000 horsepower for Southern California. And the other half of the water would be diverted by Arizona into the Arizona high-line canal and would irrigate 3,000,000 acres of magnificent land in Arizona and develop 600,000 horsepower in the drops of the Arizona high-line canal system, as estimated by competent Arizona engineers.

What possible earthly reason can there be for so obstinately opposing this vastly better plan, which we may call the Glen Bridge high-line all-gravity American plan, and insisting on the Black Boulder low-line Asiatic-Mexican plan unless it be that under the Glen Bridge high-line plan or project Arizona's rights are recognized and protected and Arizona is not robbed for the benefit of a politically and financially powerful group of American land speculators in Mexico in the delta of the Colorado River? There can be no other reason.

Measured by flood control, the Black Boulder low-line project as embodied in the Swing-Johnson bill is a delusion and a snare. It does not pretend to do anything for flood protection for the Imperial Valley except to give flood storage after the Black Canyon dam has been built. The building of that dam must require a considerable number of years.

No one could possibly read the Fall-Davis report and then read the La Rue report—Water Supply Paper 556—and not be convinced that the Glen Canyon dam gives better flood protection and gives it quicker than would be possible if the Black Canyon dam were selected for construction for that purpose.

On page 35 of the La Rue report, Water Supply Paper 556, will be found the statement:

It is estimated that a dam which would provide about 8,000,000 acre-feet of storage capacity could be completed in six years.

And on page 36 we find the following:

The Glen Canyon dam would relieve the flood menace, provide water for future irrigation development, more than double the quantity of power that could be developed on the lower river, and greatly reduce the cost of all dams subsequently built on the river below Glen Canyon.

In view of the benefits of many kinds that may ensue from the completed project, the Glen Canyon dam would probably be the most valuable flood-control dam on the river.

In his comprehensive plan for the full development of the river from the north line of Arizona to the international boundary below Yuma, La Rue adopts the Glen Canyon dam and eliminates the Boulder Canyon dam entirely, approves a high dam at Bridge Canyon, with a series of low dams below it, as follows: Devils Slide, 163 feet high; Hualpai Rapids, 225 feet high; Lower Black Canyon, 194 feet high; Mohave Canyon, 153 feet high; and Parker, 99 feet high.

Speaking of the Bridge Canyon dam, on pages 76 and 77 of the La Rue report, Water Supply Paper 556, the report states:

At some future time it may be necessary to divert 1,500 to 2,000 second-feet of water from Colorado River to augment the domestic water supply of the cities of southern California. If a gravity system is built, the point of diversion would probably be at Bridge Canyon.

* * * Under a static head of 785 feet, the amount of power that could be developed at the diversion dam would be 1,280,000 horse-

power. * * * The value of this power would more than offset the cost of the diversion dam. It therefore appears that the plan calling for the construction of a gravity system has merit.

And on page 71 a high dam at Bridge Canyon is approved—as a point of diversion for a gravity water supply for irrigation in Arizona or for domestic use in the cities of southern California.

A map has been prepared which shows the location of the Glen Canyon and Bridge Canyon dams and the proposed Arizona high-line canal, which form the Glen Bridge high-line all-gravity American project, and the lands irrigable under that project, and the location of the now abandoned Boulder dam site, for which Black Canyon has been substituted. The Black Boulder low-line project may be readily located on this map. It also shows the location of the lands proposed to be irrigated in Mexico under the Black Boulder low-line project.

I will ask that this map be inserted on one page of the CONGRESSIONAL RECORD with my remarks. It could not be reduced to a smaller space without becoming illegible in some of its most important illustrations and statements.

This map shows how the waters of the Colorado River could be taken to the coast basin for irrigation and furnish a supply, supplementing natural rainfall, that would provide every acre of irrigable land between Ventura and San Diego with an adequate supply for irrigation, besides furnishing domestic water for Los Angeles and other southern California cities, but there is not the slightest idea that there is any necessity for southern California to adopt that plan unless it is their own wish and desire.

All that we now ask is that they join hands with us to secure the building of the Glen Canyon dam, and that being assured, that they accept the Bridge Canyon dam instead of the Black Canyon dam as a point for the development of hydroelectric power for southern California.

Not only Arizona and California but every other State in the basin of the Colorado River will secure greater benefits and advantages from the Glen Bridge project than from the Bridge Boulder project.

All the waters of the Colorado River originate in the United States of America. Arizona, as a sovereign State, has rights to those waters which can not be taken away from her, either for the benefit of another State or for the benefit of this Nation as a whole or for the benefit of any other nation.

Under the Constitution and laws of the United States, and under international law, as laid down by Attorney General Harmon in the Rio Grande case (opinions of the Attorneys General, vol. 21, pp. 274 to 283) the State of Arizona, as a sovereign State, or the United States of America, under its proprietary rights as owner of the public domain, has the absolute and unqualified right to divert for beneficial use from the Colorado River all the waters of the river originating in the United States to which prior rights have not been acquired under the laws of the United States or the States bordering the river.

Whether any claim under the comity of nations could arise from the use of the waters in Mexico is "a question of policy only," according to the Rio Grande decision by Attorney General Harmon, and not a right under international law.

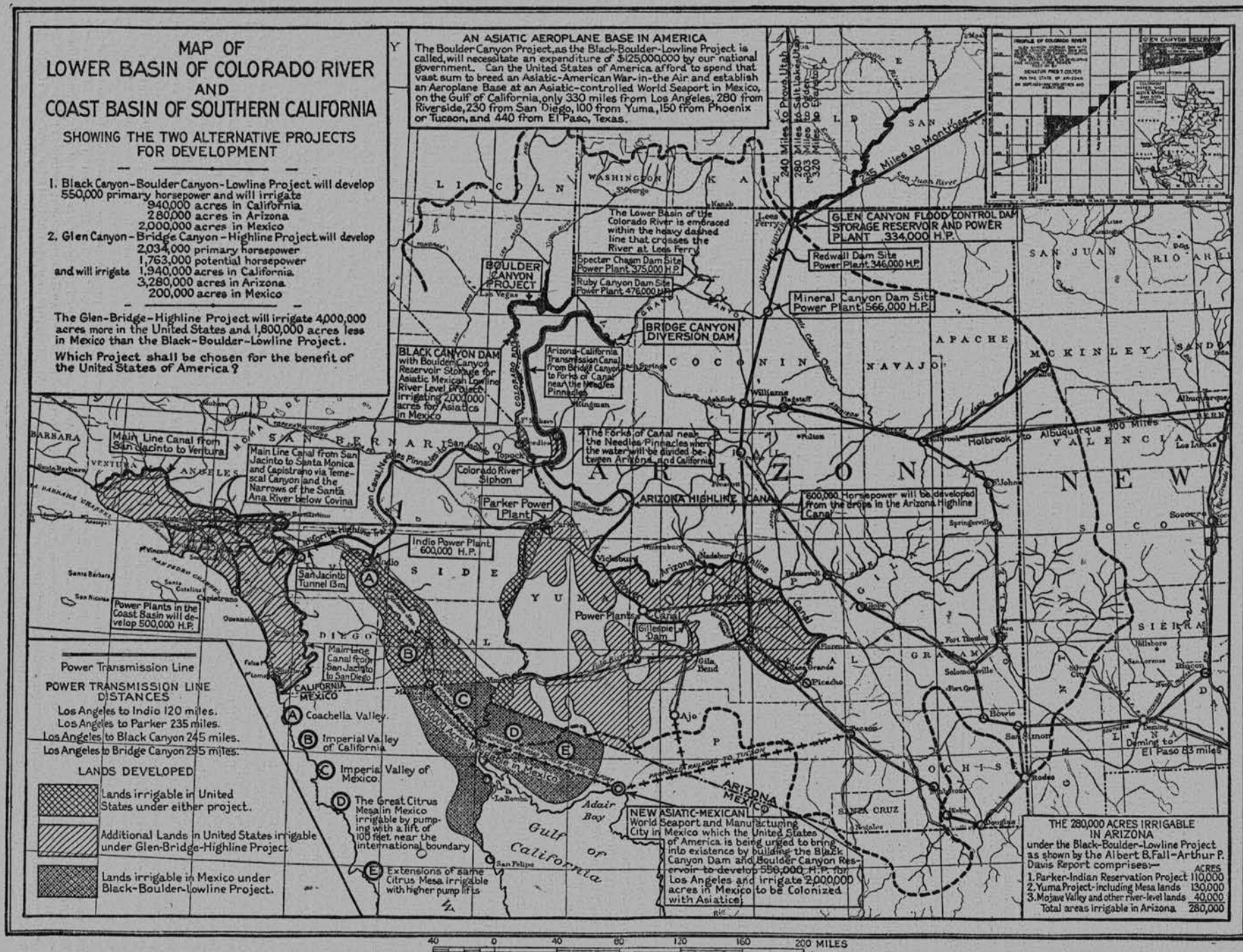
On the Cheng-tu Plain, in the Province of Sze Chuan, in western China, a population of 4,000,000 is supported, chiefly by agriculture, on 1,600,000 acres of irrigated land, all under the same system of irrigation, drawing its water from the Min River, a tributary of the Yangtze, through one great rock cut and intake canal.

Shall we dedicate 8,000,000 acre-feet of water from the Colorado River to duplicate that Asiatic population in America around the head of the Gulf of California in Mexico? That is the question which now faces the people of the United States of America, and must be answered.

The Boulder Canyon dam, or the Black Canyon dam, or the Diamond Creek dam, either one of the three, if built, or the Santa Fe-Colorado River compact, if adopted, would forever surrender to Mexico 8,000,000 acre-feet annually of the waters of the Colorado River. That is water enough to reclaim and irrigate 2,000,000 acres in Mexico from the regulated flow of the Colorado River.

The Swing-Johnson bill provides for the building of the Boulder Canyon project, as it is designated in the bill. If the Boulder Canyon project is built, that 8,000,000 acre-feet of water annually goes to Mexico irrevocably forever. It will go there by the law of gravity, which can not be altered, modified, or repealed by any agreement between the States or treaty with Mexico. The resulting inevitable Asiatic absorption of the Imperial Valley of Mexico and adjacent citrus mesa lands in Sonora will nullify or make futile everything we have heretofore done to avoid Asiatic absorption and competition in

Map supplementary to speech of Hon. RALPH H. CAMERON, of Arizona, in the United States Senate, Tuesday, February 22, 1927
 [Inserted in the Record by authority of the Joint Committee on Printing]



America. That 8,000,000 acre-feet of water will go to Mexico by the law of gravity, because there is no other place for it to go after it has dropped over the Black Canyon dam to an elevation so low as the base of that dam, which is only 645 feet above sea level.

The Fall-Davis report was perfectly right when it gave the irrigable area in Arizona at 280,000 acres and that in California at 940,000 acres, making a total of 1,220,000 acres in the entire lower basin. Afterwards that whole problem of the area irrigable by gravity in the State of Arizona was thoroughly investigated by the Arizona Engineering Commission and they included a few other small areas to bring the total up to 300,000 acres.

Albert B. Fall and Arthur P. Davis were entirely right when they declared in authorized articles in the Arizona Republican, which were inserted in the hearings on this bill before the House Committee on Reclamation, that if the Boulder Canyon project were built, 40 per cent of the water would go to Mexico and 60 per cent to the United States.

The 820,000 acres they specified as irrigable in Mexico was the 40 per cent and the 940,000 acres in California and 280,000 acres in Arizona, making 1,220,000 acres in all, comprised the 60 per cent they proposed to allot to the United States by the building of the Boulder Canyon project.

After the iniquity of that scheme was brought to public attention, an effort to break the force of it was made by trying to evolve a project to increase the irrigable area in Arizona by pumping the water up again 200 feet after it had fallen over the Boulder or Black Canyon dam.

It is claimed that by pumping 200 feet an area of about 600,000 acres more could be irrigated in Arizona under what was called the Parker-Gila project. That scheme is a mere smoke screen to get the water into Mexico. The Parker-Gila project will never be built. It is so utterly uneconomic to lift water 200 feet for agricultural use in Arizona that any one who seriously proposes it merely shows their ignorance of conditions in that State.

All the land proposed to be irrigated with a pump lift of 200 feet under the Parker-Gila project, will be irrigated by gravity under the Arizona high-line project, and that is the only way it ever will be irrigated.

Any claim that 700,000 acres can be irrigated in Arizona from either the Boulder dam or the Black Canyon is an illusive scheme, unworthy of the slightest consideration, and will not be urged by anyone knowing the facts.

The entire flow of the Colorado River at Laguna Dam, above Yuma, and above the mouth of the Gila, is fixed by the Fall-Davis report at 16,400,000 acre-feet, and by La Rue in Water Supply Paper 395 at 16,200,000 acre-feet, averaged over 20 or more years.

Take the Fall-Davis estimate, 16,400,000, and 40 per cent of that makes 6,510,000 acre-feet annually, which both Albert B. Fall and Arthur P. Davis publicly declared should and would go to Mexico if the Boulder dam were built. That is an annual irrigation of 4 acre-feet on 1,640,000 acres; and that is almost the exact area which supports an Asiatic population of 4,000,000 on the Cheng-Tu plain in the Province of Sze Chuan in western China.

It did not need the Fall-Davis report to make the frank admission, and publish the maps showing it to be true, that after the water had fallen over the Boulder or Black Canyon dam, enough would go to Mexico to irrigate 1,600,000 acres or more.

The fact is proved by facts and figures that are unanswerable. Take the Davis figure of 16,400,000 acre-feet of average flow per year. In California and Arizona 1,220,000 acres would require not over 5,000,000 acre-feet for its irrigation. Add to that 1,000,000 to go to Los Angeles by the Mulholland scheme for pumping the water 1,400 feet over Shavers Summit and you have a total possible use in Arizona and California of 6,000,000 acre-feet, which leaves 10,400,000 acre-feet to go to Mexico. Eight million acre-feet will irrigate 2,000,000 acres in Mexico, and more than that will be left after allowing for all losses by evaporation.

Now, these facts are simply unanswerable. They are proved by the report of ex-Secretary Fall and ex-Director of the Reclamation Service Arthur P. Davis, which is the whole basis for the Boulder Canyon project. That is the report which one of the most zealous advocates of the scheme said before the Senate Committee on Reclamation at Los Angeles is "The Bible" of the Boulder dam scheme.

I can not say with too much emphasis to my friends who are pushing the Boulder dam scheme on this floor that all they have to do to bring about perfect harmony between all the States of the Colorado River Basin with reference to this problem, and secure flood protection quickly for Imperial Valley, power for Los Angeles, and the all-American canal for the

Imperial Valley, is to break away from this iniquitous scheme to bring into existence a vast Asiatic agricultural competitive colony and world seaport and Asiatic-controlled aeroplane base at the head of the Gulf of California in Mexico, and permit Arizona to enjoy her constitutional right to develop Arizona with that water.

I want to call attention here to one fact that must not be overlooked, and that is that if the waters are taken out in the Arizona high-line canal at Bridge Canyon and used to irrigate 3,000,000 acres under that canal, the return seepage which will be available for reuse will amount to not less than 4,000,000 acre-feet a year. That will enlarge the total available supply to 20,000,000 acre-feet annually. If the Boulder dam is built, and the water forced down the wide, shallow, tortuous channel of the river, there will be a much greater loss by evaporation, and no return seepage. That 4,000,000 acre-feet of return seepage is enough to irrigate more than 1,000,000 acres of otherwise worthless land in Arizona and California.

The United States of America a generation ago adopted a policy of Asiatic exclusion to protect itself from Asiatic competition and absorption. The Chinese exclusion act has worked. It has accomplished the purpose for which it was enacted. Chinese competition in America has been eliminated. If it had not been for the Chinese exclusion act, the whole Pacific littoral would now be a Chinese country.

Then came the Japanese. Their competition threatened to be equally ruinous to our American standards of life. We denied them the right of citizenship. The so-called "gentlemen's agreement" limited immigration into this country and excluded laborers. California and Arizona adopted antialien land laws.

Unable to buy or even to lease land, the Japanese farmers have been compelled to go elsewhere.

They are going in vast numbers to South America. Mexico welcomes them with open arms, and a great colony of Japanese is being established on 200,000 acres near Guadalajara.

The recent new treaty between Mexico and Japan guarantees to the Japanese in Mexico all the rights of the most-favored nation. They may become citizens, intermarry, invest their capital with safety, buy and own land, and, in short, have all the rights of native Mexicans. We have driven them out. Mexico calls to them to come, and welcomes them with open arms.

This new Mexican-Japanese treaty was finally ratified in May, 1925. It appears to have been negotiated and put through to facilitate the acquisition of the lands in the delta of the Colorado River by Japanese, if the conspiracy to secure the waters of the Colorado River for their irrigation could be brought to fruition.

On October 25, 1924, our embassy reported that it had received information from the Mexican foreign office that the treaty would shortly be submitted to the Senate for ratification. On the same identical date, October 25, 1924, the following article appeared in *El Heraldo de Mexico*, in Mexico City:

THE JAPANESE WILL COLONIZE IN LOWER CALIFORNIA—MEXICALI, LOWER CALIFORNIA

A special train carrying 18 Japanese passed through here yesterday. They were all men of business and expert financiers. They are going to investigate conditions, relative to the lands along certain portions of the Colorado River, with the intention of establishing colonies which will bring together about 20,000 sons of the yellow race. It is said that there is a step on foot to colonize all the region near Mexicali if the waters of the Colorado can be diverted and used for the irrigation of the land. These men are all agriculturists in the major part. This move is creating quite a little bit of comment.

Note the serious significance of those words:

* * * To colonize all the region near Mexicali, if the waters of the Colorado can be diverted and used for the irrigation of the land.

How are they scheming to get those waters for that purpose? By the passage of the Boulder dam bill, ratifying the Colorado River compact, supplemented by a treaty with Mexico secured through the machinery which it is now proposed to set in motion by hooking the Colorado River up with the Rio Grande, so as to get through a concession of Colorado River waters for this Japanese colony in Mexico in exchange for concessions from Mexico on the Rio Grande.

There are no Asiatic complications on the Rio Grande. For that reason the Rio Grande should never be tied to the Colorado River in any negotiations with Mexico.

The Colorado River problems are loaded with Asiatic dynamite. There can be no safety for the United States of America from Asiatic aggression in America except to dry the Colorado River up at the Mexican international boundary line. We can compensate Mexico for any claim to those waters, if she has any just claims, but we can not afford under any conditions

to permit a Japanese agricultural competitive colony to be established in the delta of the Colorado River.

A part of the plan undoubtedly is the establishment of an Asiatic-controlled world seaport at the head of the Gulf of California, furnishing an airplane base in the event of war only 150 miles from Phoenix or Tucson, 330 from Los Angeles, and a little over 400 from El Paso, Tex.

This is a proposition to create a military menace of such inconceivably vast proportions that it rises above all other problems of the defense of the Nation in importance. No such problems exist on the Rio Grande, and they should never be imported into the negotiations with reference to that river between our country and Mexico.

Every tub should stand on its own bottom.

This new treaty between Mexico and Japan was signed by President Calles of Mexico on December 2, 1924, having previously been ratified by the Mexican Senate. It was ratified by Japan on May 14, 1925. Apparently, all knowledge of this Mexican-Japanese treaty was concealed from the people of the United States until too late for publicity to have interfered with its final ratification by Japan. Our State Department informed a Member of the House of Representatives on February 27, 1925, that the treaty had not been ratified, though it had been ratified by Mexico in December, 1924.

The first public announcement of the provisions of this treaty was through the publication in several newspapers in this country of an article which appeared in the New Orleans Times-Picayune on May 10, 1925, as follows:

MEXICO GIVES FAVORED-NATION STATUS TO JAPAN IN NEW TREATY—ORIENTALS ASSURED OF SAME TREATMENT AS NATIVES UNDER TERMS; MAY ACQUIRE LAND AND PROPERTY AND ENTER BUSINESS—IMMIGRANTS URGED TO CROSS PACIFIC—INTERMARRIAGE ALLOWED AND MILITARY SERVICE NOT DEMANDED; INSURANCE COMPANIES ARE INVITED

[By John Cornyn, The Times-Picayune foreign service]

MEXICO CITY, May 8.—The text of the Mexican-Japanese treaty given out last night shows that Mexico treats Japan as a favored nation. Japanese are encouraged to come to Mexico and they are assured of the same treatment as Mexicans.

They are allowed to acquire land and property, enter business, and to have all rights before the Mexican courts.

The treaty is one of commerce, navigation, and friendship. Japanese are encouraged to come to Mexico with their families, settle in industrial and agricultural districts, and to enter trade, commerce, manufacture, and professions. Special encouragement is given to Japanese insurance companies. This is of special interest as the powerful American insurance companies, like the New York Mutual, withdrew from Mexico 10 years ago because they found conditions were not inviting.

Japanese are also given the right to intermarry with Mexicans, as many are already doing. The treaty exempts Japanese residing in Mexico from military service. Mexican papers in the past objected to Japanese because they never became Mexican citizens and never entered the army.

Japanese are assured the right of port entry and duties similar to those conceded goods brought in Mexican boats. This is an important concession as it places Japanese on a par with Mexicans using the Mexican national marine.

Mexico also agreed to attempt to arrest and to return to Japanese ships Japanese sailor deserters.

The conspiracy to steal the waters of the Colorado River for lands in Mexico harks back to the purchase, more than 20 years ago, of the Andrade grant in the Delta of the Colorado River by the Los Angeles syndicate, of which Harry Chandler is now the head.

American land speculators now own more than a million acres on both sides of the Colorado River in Mexico. The Chandler syndicate owns over 800,000 acres. They have not the shadow of right to any of the waters of the Colorado River for irrigation, unless it be to claim under the comity of nations the right to the continued use of enough water to irrigate about 200,000 acres which they have already put under irrigation.

The Fall-Davis report, which was the start of the Boulder Canyon dam scheme, proposed to irrigate 820,000 acres in Mexico and 1,220,000 acres in California and Arizona—40 per cent for Mexico and only 60 per cent for our own country, as they both publicly declared to be their plan.

The Boulder Canyon or Black Canyon dam, if built, would give to Mexico water enough to irrigate 2,000,000 acres, because if the dam is placed so low down the river the waters can only be diverted over the 1,220,000 acres designated in the Fall-Davis report and the rest of the water goes to Mexico.

If that dam is built, Mexico will get over 8,000,000 acre-feet annual average, which will irrigate 2,000,000 acres.

On the Cheng-tu Plain, in western China, 1,600,000 acres sustains a population of 4,000,000 Chinese.

It is admitted that 1,600,000 acres are irrigable from the Colorado River in Mexico, and they will be so irrigated if the Boulder Canyon dam is built, and we will have spent \$125,000,000 of Uncle Sam's good money to build an Asiatic annex in America if we build the Boulder or Black Canyon dam, because the lands so irrigated will inevitably fall into the hands of Japanese colonists. There is no escape from that proposition. Driven out of the Imperial Valley of California by the antialien land laws, they would only have to step across an invisible international boundary line, acquire the lands they want in Mexico, and sell their products in ruinous competition with every farmer in the Southwest.

Tens of thousands of dollars have been spent in a great nationwide publicity campaign to force the Boulder Canyon bill through Congress. But the fact that the Boulder dam project will irrigate 2,000,000 acres in Mexico and create Asiatic competition on a stupendous scale for every American farmer and worker and manufacturer has been studiously misrepresented or concealed by the proponents of that bill.

It has been said, in opposition to this Swing-Johnson bill, that it is in reality a scheme to get power for Los Angeles under the guise of a flood-control bill. That is an inadequate view of the matter. In fact and in reality, the underlying and fundamental motive force behind this Boulder dam scheme has been the plan to get the waters of the Colorado River for reclamation in Mexico, and to get it without the shadow of a right to it by a scheme in which other alleged necessities would form the smoke screen behind which the real purpose would be concealed.

This treasonable conspiracy to get waters in Mexico for the profit of a group of American land speculators harks back to more than 20 years ago when Gen. Harrison Grey Otis formed a syndicate in Los Angeles to purchase the Andrade grant of over 800,000 acres of land in what now forms the Imperial Valley of Mexico, in the delta of the Colorado River below the international boundary line.

The American purchasers of that vast principality in Mexico knew perfectly well that they had no right under international law for water from the Colorado River for its reclamation. That being so, they evolved a claim to what they called an "equitable apportionment" of the waters of the Colorado River. They claimed that they were entitled to water for their lands in Mexico in the proportion that those lands bore to the lands reclaimable from the river in the lower basin in the United States of America. In other words, their claim was to 40 per cent of the water, and when the Albert B. Fall-Arthur P. Davis report came out of the hopper that was what it gave to Mexico.

The original preliminary report was even more brazen in its concessions and declarations with reference to the surrender of Arizona's waters to Mexico for the benefit of the Harrison Grey Otis syndicate, of which Harry Chandler, son-in-law of General Otis and present manager of the Los Angeles Times, is now the head.

The most significant fact with reference to this whole scheme is that it was all worked out under an act of Congress in which no reference was made to Mexico. If such a reference had been made it is safe to say that Congress would never have passed the bill.

The preliminary report above referred to is entitled:

Sixty-sixth Congress, third session. House of Representatives. Committee print. Department of the Interior, United States Reclamation Service. Preliminary report on problems of Imperial Valley and vicinity, required by act of Congress approved May 18, 1920, Public, No. 298, Sixty-sixth Congress, January, 1921.

That act of Congress is printed in full as Appendix A of that preliminary report on pages 20 and 21.

Under that authorization, in which no reference to Mexico is made, the Reclamation Service proceeded to work out and propose plans for the irrigation of 820,000 acres in Mexico.

On page 18 we find the following:

No branch canal lines were surveyed for Mexican lands. The lands in Lower California would probably be best supplied by extensions from the Imperial Canal as constructed, and those in Sonora by enlargement and extension of the main canal of the Yuma project.

The Fall-Davis final report did not contain this statement.

The preliminary report frankly recommended that the Mexican lands should contribute their share of the cost of reservoir storage.

Under the Swing-Johnson bill they will get more than the 40 per cent of that water proposed to be surrendered to them by the Fall-Davis report, and get it for nothing—contributing not a

cent to the cost of construction of the necessary storage works originally proposed by the preliminary Fall-Davis report.

The final Fall-Davis report, so often referred to in this statement of facts, is Senate Document 142, Sixty-seventh Congress, second session, and in that report the scheme for paying for the dam through the sale of power by the Federal Government is evoked and proposed as a way to finance the scheme.

The difficulties that have been thrown in the way of Arizona in her determined efforts to protect her rights and secure the information necessary for that purpose have been so persistent as to be almost insurmountable.

Away in the far southeastern corner of Arizona, the whole San Simon Valley has been topographically surveyed and plots made from which a plan for flood control and reclamation in that valley was worked out, showing the value of those United States Geological Survey plots, but for some inexplicable reason the topographic surveys have never been made of lands that will be irrigated under the Arizona high-line canal in the western part of the State.

In order to get the levels of the country through which that great artery of Arizona's future prosperity must run, private subscriptions had to be raised, and at last a State survey was obtained, after overcoming the most insistent opposition.

The source of that opposition and of the determined and insistent conspiracy to force the compact on Arizona and anchor her future to the ball and chain of an obligation to furnish half of a deficiency for irrigation in Mexico can be traced straight to the camp of the secret beneficiaries under this Swing-Johnson bill, the successors in interest of the Otis Syndicate in Mexico.

The establishment of an Asiatic colony on more than a million acres in the Imperial Valley of Mexico will create conditions more dangerous by far than would have been created by the Chinese or the Japanese in California.

The competitive conquest of California by the Chinese was averted by the Chinese exclusion act. Shall we now surrender the waters of the Colorado River to establish a more dangerous Asiatic competition in the delta of the Colorado River in Mexico? We were compelled to protect ourselves against Japanese competition by enacting State laws against alien land ownership or land leasing.

The Imperial Valley of California was fast becoming a Japanese colony. It is now, by those laws, protected from that fate, and from the competition of the cheap coolie labor from Asia—a competition destructive to both farms and factories in the United States of America. The Boulder Canyon project is equivalent to a deliberate proposition to nullify those anti-alien land laws by donating to a group of American land speculators 8,000,000 acre-feet of water annually from the Colorado River to reclaim their lands in Mexico which will be sold to Japanese when reclaimed.

We deny to the Japanese in California the right to either own or lease land or to become citizens. Mexico, by her new treaty with Japan, finally ratified in May, 1925, offers them all those privileges if they will come to Mexico. So all the Japanese will have to do in the future, if we surrender the water from the Colorado River to irrigate the land in the Imperial Valley of Mexico, will be to walk across an invisible boundary line between our country and Mexico, and become Mexican citizens, and buy and own land irrigated with our river, and raise on it the crops that will ruinously compete with every farmer on our side of the line. That amounts to nothing less than a nullification of our anti-alien land laws. And it surely puts California in a unique position before the people of the East, to insist on the enactment of anti-alien laws that give offense to a friendly nation and exclude them from owning or leasing land in California, and then ask Congress to spend Uncle Sam's money to build a dam on the Colorado River that will create more dangerous competition in Mexico than that which we have safeguarded against in California.

The Japanese in Mexico, where we have no control over them, are a greater menace than they were in California, where they were under the control of our laws and subject to them.

The reason why the Boulder Canyon project will irrevocably surrender 8,000,000 acre-feet annually to Mexico is that the dam is to be a power dam. The power must be developed by dropping the water from the reservoir back to the base of the dam. That drops it back to a level so low that it can never afterwards be diverted from the river high enough to cover the irrigable lands in the United States of America. At the Boulder Canyon dam the water would fall back to the 706-foot level. At the Black Canyon dam it would fall to the 645-foot elevation above sea level.

After falling over the dam to either of those low levels, the water can go nowhere else except to Mexico. It will go to Mexico by the law of gravity, unless the law of gravity can be amended or repealed, or unless some kind of water can be found that will climb a canyon wall and crawl out over the edge of the mesa onto the land that it ought to irrigate.

To irrigate that mesa land in Arizona, and take the water to the coast basin of southern California by gravity, the water must be diverted from the river at an elevation of 2,000 feet.

The only point on the river where the water can be diverted at the 2,000-foot level is at Bridge Canyon. If diverted there the water will irrigate 3,000,000 acres in Arizona by gravity, and will flow by gravity over any lands in the coast basin of southern California that are below the 1,500-foot contour above sea level. The practicability of the necessary siphon under the Colorado River below Topock is proved by the Yuma siphon and the Hudson River siphon which is part of the new aqueduct system for New York.

If the Bridge Canyon dam is built, the American land speculators in Mexico will not get the water. That accounts for the bitter opposition to the Bridge Canyon dam, and all the controversy over the Colorado River. Were it not for that opposition there would be no controversy.

Compare the two alternative projects:

The Boulder Canyon project will develop 550,000 primary horsepower and then irrigate 280,000 acres in Arizona and 940,000 acres in California, of low river-level or below-sea-level lands in the Imperial, Coachella, and Palo Verde and other valleys. Water enough will go to Mexico forever to ultimately irrigate 2,000,000 acres below the international boundary line.

The all-gravity American project, with the Glen Canyon reservoir, the Bridge Canyon diversion dam, and the Arizona-California Highline Canal, will develop 2,000,000 primary horsepower immediately available, with a potential reserve of 2,000,000 more between Glen Canyon and Bridge Canyon.

The value of that power will cover the construction costs of both dams and also of the Arizona-California Highline Canal, leaving only an acreage charge of \$50 an acre for the cost of the distribution works to be borne by the reclaimed lands.

In addition to all the lands irrigable under the Boulder Canyon project in those two States, the all-gravity American project will reclaim 3,000,000 acres of otherwise irreclaimable desert in Arizona, and will furnish a supplemental supply adequate for the abundant irrigation of 1,000,000 acres in the coast basin of southern California, all the way from San Diego to Ventura.

Is there any question as to which of these two alternative projects should be chosen for construction by our National Government, from the standpoint of the development of a great national asset?

The Fall-Davis report recommended the construction of the Boulder Canyon dam. Subsequently it was found that a dam could not be built at Boulder Canyon because of impossible conditions as to bed rock and foundation. The Black Canyon dam, 40 miles farther down the river, was afterwards substituted for the Boulder Canyon dam in the Boulder Canyon project, as it is designated in the Swing-Johnson bill.

If the Boulder Canyon dam, or the Black Canyon dam as a substitute for it, is built, the 8,000,000 acre-feet annually that will thereby be irrevocably surrendered to Mexico will be taken from Arizona and California to be used in Mexico. To use it in Mexico will deprive California of the water needed to irrigate 1,000,000 acres in the coast basin of southern California between San Diego and Ventura. It will deprive Arizona of the water needed to reclaim 3,000,000 acres under the Arizona Highline Canal, and dedicate that vast acreage to the desert forever.

If this water goes to Mexico it will destroy in the United States of America national wealth in potential land values and annual productive values running into many billions of dollars. And Mexico has not the slightest right to the water under international law or the comity of nations.

We are warming a serpent in our bosom. It menaces our national existence. The American people must be aroused from their lethargy. They must cast off the reptile before it comes to life and stings them to death. This poisonous reptile has taken the form of the Colorado River conspiracy to plant Asiatic competition on American soil irrevocably.

It plans to create in America, at the head of the Gulf of California, a vast center of Asiatic agricultural, commercial, manufacturing, and industrial production, enterprise, and competition.

It will bring from Asia to America the deadly, tireless, never-sleeping "drag-down" of the competition of the cheap coolie labor and low living standards of Asia. That competition will

be felt on every farm and in every factory in America, and in every home where a family is supported by labor in tilling the soil or turning the wheels of industry.

Either we will bequeath a war for existence to our children, or our national fate will be slow strangulation. Another race will submerge us beneath the waves of countless millions working and living on a lower plane of existence. Our American high standards of life will be crushed down under the sheer weight of the competition in America of vast hordes from Asia's swarming hive. Asia has swarmed more than once before and is ready to swarm again. They only await the day when China will have become as completely militarized as Japan became to prepare for her war with Russia.

We may save ourselves from that menace if we keep the Pacific Ocean between the two competing races. Our doom will be sealed unless we fight and win a war with Asia, if Asia once gets the foothold in America which our American Colorado River conspirators now contemplate, provided they can get the waters of the Colorado River to irrigate the lands they are planning to sell to the Japanese.

There never was before, and never will be again in this country, a great public emergency calling so loudly for patriotic support and the resistless energy that fights for national existence as the present crisis brought on by the scheme to build the Black Canyon dam. The subtly concealed purpose of the Black Canyon dam is to get 8,000,000 acre-feet annually of the waters of the Colorado River to run to Mexico by the law of gravity, without the shadow of a right to those waters being now vested in the American conspirators who own the land in Mexico and who are now endeavoring to put through this treasonable scheme by the passage of the Swing-Johnson bill.

An ounce of prevention is worth a pound of cure.

Is it not better to strangle that conspiracy before its fruits can be harvested than to stupidly stay asleep until we have ourselves been strangled by those fruits? America must be aroused from her present stupor and made to see the danger that confronts her future. We must safeguard the Nation against the danger by preventing the danger from coming into existence.

We must use the Colorado River in the United States of America—not merely talk about using it. We must not allow it to run down to Mexico by gravity. We must actually and in fact build the works necessary to reservoir every drop of the river's flow high enough up the river to turn it out on the thirsty desert lands in our own country.

The most serious aspect of the present Colorado River problem is that the American people know nothing of the menace lurking in it of a long competitive struggle with Asia's cheap labor and competitive farm and factory products. They do not know that such a struggle would inevitably lead to international friction, making war inevitable.

The most shocking feature of the present effort to get the United States of America to build the Black Canyon dam to furnish water for Mexico is that every American citizen who advocates the Black Canyon dam must have answered in the affirmative the following question:

Shall we use the Colorado River to create an Asiatic population of several million in the delta of the Colorado River and around the head of the Gulf of California in the Mexican States of Lower California and Sonora?

That question alone suggests a possibility of racial conflict demanding instant national public protest.

Yet that absorption by Asiatics of waters from the regulated flow of our second greatest American river is exactly what is designed by the conspiracy of American speculators in Mexican lands in that region.

It is the inevitable result of their deliberate effort to deceive, delude, and mislead the American people into abandoning more than 8,000,000 acre-feet annually of the waters of the Colorado River to reclaim 2,000,000 acres in Mexico.

A part of their plan from the beginning has been to sell those lands to Japanese for Asiatic agricultural colonization in America in competition with American agriculture.

That vast Asiatic agricultural annex in America is to be the "back country" for a competitive world seaport and manufacturing city, connected by rail with American markets and by sea with the world's markets. This new city at the head of the Gulf of California, in Mexican territory, but under Asiatic control, could not but become an Asiatic airplane base in America.

When this Colorado River conspiracy has fully fruited, and those conditions have been created, competition will create war. America will have to war with Asia, and dislodge Asia from this vantage ground in America, or be submerged by Asiatic competition.

Chinese conquest of California by the sheer power of cheap labor, absorbing agriculture and driving American factories out of business, was prevented only by the Chinese exclusion act. But for that, it would have led to war. There would have been no alternative but to fight for it, if that became necessary, to drive the Chinese out of California, or surrender the country to competition we could not stand against.

History has repeated itself. We have been forced to enact antialien legislation to prevent similar agricultural absorption by the Japanese. They have been forced out of California. They are going to Mexico. Unable to even rent land in the Imperial Valley of California, they step across an invisible international boundary line, and can buy as much or as little land as they want in the Imperial Valley of Mexico.

The Japanese in Hawaii are a menace. The Japanese in Mexico will be a much greater menace just below our boundary, irrigating their lands from our river and with both Mexico and the Japanese Empire to stand behind them in any international friction developed by their claims to the waters of that river.

Yet in the face of that appalling military menace to the Nation, the conspiracy has gone steadily forward to secure the waters of the Colorado River for 2,000,000 acres of Mexican lands to be colonized by the Japanese.

Knowing they have no right to the waters under international law, the conspirators have been for years endeavoring to get the Colorado River regulated for power by building a dam so far down the river that the waters can not be diverted to American lands, and, as a necessary consequence, must go to Mexico by gravity.

The Boulder Canyon dam project was the fruition of that scheme.

The Black Canyon dam project is still farther down the river.

The Black Canyon dam would utilize the same reservoir site as the Boulder Canyon dam would have used. The scheme makes necessary the use of the same reservoir for flood control, water storage, silt storage, and regulation for power development.

The Black Canyon dam, if once built, would forever prevent the works from being built farther up the river, which are indispensable for the use of the waters of the Colorado River for reclamation in the United States of America.

The project that provides for the ultimate use of all the waters of the Colorado River in the United States of America is the Glen Canyon dam for storage and the Bridge Canyon dam for diversion.

The Bridge Canyon dam makes possible the diversion of the river at an elevation high enough for a gravity supply for 1,000,000 acres of now unirrigated lands in southern California and for the reclamation of 3,000,000 acres in Arizona that can not be irrigated from the Black Canyon project.

That diversion for irrigation in Arizona and for a gravity supply for southern California's coast basin must be at an elevation of not less than 2,000 feet above sea level. Bridge Canyon is the only point on the Colorado River where the water can be diverted for those two purposes at a sufficient elevation. The Glen Canyon site is the only available site for a storage reservoir above Bridge Canyon for the benefit of the lower basin.

A COMPARISON OF THE TWO PROJECTS AND THEIR RESULTS

The Black Canyon-Boulder Canyon low-line project, if built, would dedicate forever, for the benefit of a group of conscienceless American speculators in Mexican lands, more than 8,000,000 acre-feet annually of the waters of the Colorado River to reclaim 2,000,000 acres of land in Mexico for the establishment in America of a competitive Asiatic world seaport and Asiatic agricultural colony.

At the same time, as the inevitable consequence of that unbelievable national folly—that racial and international unforgivable sin—that irremediable crime against Arizona and America, the Black Canyon-Boulder Canyon low-line project would dedicate forever to the desert 3,000,000 acres in Arizona.

In addition to that, the Black Canyon-Boulder Canyon low-line project, if built, would donate to American speculators in Mexico the waters which otherwise will be taken by gravity to the coast basin of Southern California to supplement local water and give to 1,000,000 acres an ample irrigation supply, besides furnishing all the water needed for domestic use to every city from San Diego to Ventura.

Everyone who supports the Black Canyon-Boulder Canyon low-line project must necessarily advocate those results, because there is no escape from them if the Black Canyon dam is built.

Albert B. Fall, when Secretary of the Interior, was the first Secretary of the Interior to approve this scheme to reclaim a

vast area in Mexico with the waters of the Colorado River, waters to which Mexico has no right under international law.

That Mexico has no such right was determined by Attorney General Judson Harmon in the Rio Grande case. (Opinions of the Attorneys General, vol. 21, pp. 274 to 283.)

If we sleep on our rights, and do not use the water in this country, a claim to it under the comity of nations will be made, based on beneficial use in Mexico.

On February 28, 1922, Secretary Fall transmitted to Congress with his approval and official recommendation, the plan for the Boulder Canyon dam, as set forth in the report known as the Fall-Davis report, Senate Document No. 142, Sixty-seventh Congress, second session.

On page 5 of that report is a table showing the annual flow of the Colorado River to be 16,400,000 acre-feet per year at the Laguna Dam, 12 miles above Yuma, and a few miles above the mouth of the Gila River, averaged over 20 years, from 1899 to 1920.

That water is the run-off from a watershed of 244,000 square miles in the United States of America, excepting the Gila River watershed. The run-off from the Gila River watershed is not included in that estimate of 16,400,000 acre-feet per year. In the same period of 20 years it amounted to an average of 1,070,000 acre-feet a year.

The question we now face is whether half of that 16,400,000 acre-feet of water shall be used in Mexico or in the United States of America.

In that same Fall-Davis report the total area irrigable in the United States in the lower basin from the Colorado River below the north line of Arizona is fixed at 1,220,000 acres and no more if the Boulder Canyon dam were built.

That is all that ever will be irrigated in that country if the Black Canyon dam should be built, because the water falling over the dam to develop power drops back to the 645-foot level. At Boulder Canyon it would drop back to the 706-foot level. Once at that low level, at the base of either dam, the water can not be diverted high enough to cover lands in Arizona or California, except the 1,220,000 acres in these States designated in the Fall-Davis report.

The water necessarily must run down to Mexico by gravity, and the Mexican lands get the water; that is, they inevitably get it, unless the law of gravity can be repealed or water made to run uphill. If the Black Canyon dam should be built, the scheme of the Colorado River conspirators—the American speculators in Mexican lands—will have succeeded.

With no right to the water, they get it in Mexico by the law of gravity, because the river has been regulated for power development and the dam for power put so far down the river that after the water falls over it there is no possibility of diverting it onto the lands on which it ought to be used in our own country, because those lands are at too high an elevation. They can not be irrigated unless the water is diverted from the river at the Bridge Canyon dam.

In the Fall-Davis report there is a map opposite page 20 and another opposite page 62, Plates V and XIX, and a tabulated statement of the lands on page 48, showing the area to be irrigated in the United States to be 1,220,000 acres.

That acreage would require for its irrigation 5,000,000 acre-feet annually. That being deducted from the total flow of 16,400,000 acre-feet annually would leave 11,400,000 acre-feet per year to go down to Mexico by gravity.

Since the Fall-Davis report the Mulholland scheme has been evolved to take 1,000,000 acre-feet a year to Los Angeles by pumping it 1,400 feet to Shavers Summit. From there it will run by gravity to Los Angeles. That additional diversion would still leave 10,400,000 acre-feet per year to go to Mexico.

All the water they need in Mexico to irrigate 2,000,000 acres is 8,000,000 acre-feet a year.

If the Black Canyon dam were built, the average regulated flow of the river to Mexico would never be reduced below an annual average of 8,000,000 acre-feet.

On the other hand, if the Glen Canyon and Bridge Canyon dams are built, all that water will be used in the United States of America.

To summarize: If the Black Canyon dam is built—

1. American speculators in Mexican lands will get 8,000,000 acre-feet of water per year to sell to Asiatic agriculturists in America and create ruinous competition for American farmers.

2. That water will be taken from Arizona and will leave 3,000,000 acres in that State a desert forever.

3. Southern California will lose water for 1,000,000 acres in the coast basin of southern California that will otherwise be abundantly irrigated.

Keep that picture of disaster and irretrievable ruin in mind as the result of building the Black Canyon dam and power plant.

Then look at what will happen if Glen Canyon and Bridge Canyon dams are built instead of Black Canyon.

First. The 8,000,000 acre-feet will be used in our own country and the Mexican lands will remain a desert, thereby safeguarding us against every form of Asiatic aggression from that vantage ground in America.

Second. The Arizona highline canal will be built to take water from the Bridge Canyon diversion dam. More than 3,000,000 acres will be reclaimed under that canal in Arizona. That will create 10 new taxable units of wealth-producing prosperity, each as populous and prosperous as the area under the Roosevelt system in the Salt River Valley. The annual taxes paid to the State and districts and municipalities by that newly created property will be at least \$25,000,000 a year.

Third. The waters will be taken to southern California by gravity for every municipality between San Diego and Ventura, including Los Angeles. In addition the system will ultimately carry enough more water to supplement local water supplies sufficiently to abundantly irrigate 1,000,000 acres now unirrigated, or inadequately irrigated, in the coast basin of southern California. And the increase in State and county taxes annually contributed from this increase of permanent wealth in California will be more than \$25,000,000 a year. A more intensive development and a denser population will immediately result in California than in Arizona.

Anyone who has seen southern California and can realize what it would mean to the people of the United States of America to abundantly irrigate every acre of irrigable land between San Diego and Ventura, or who has seen the Salt River Valley in Arizona and can realize what it would mean to create 10 new units in that State, each duplicating in area and wealth production the present unit under the Roosevelt Dam, will readily understand the immensity of the national crime involved when it is proposed to surrender to a group of American land speculators in Mexico at least 8,000,000 acre-feet of the flow of the Colorado River, enough to irrigate 2,000,000 acres of land, from the regulated flow of the Colorado River which is indispensably necessary to the development above described in Arizona and southern California.

And that national crime becomes nothing short of treasonable when the added fact is known that the use to which that land in Mexico will be devoted will be the establishment on it of a vast Asiatic agricultural colony and world seaport and manufacturing city, to breed an Asiatic-American war in the air as the result of the ruinous competition of Asiatic cheap labor and products with American farmers, workers, and manufacturers, and provide an Asiatic-controlled airplane base on Adair Bay in Mexico.

With the Black Canyon dam built to a height of 552 feet, the cost of the Black Canyon-Boulder Canyon project is estimated by the Reclamation Bureau of the Interior Department at \$125,000,000.

With the Bridge Canyon dam built to a height of 566 feet, and the Glen Canyon dam high enough to store 26,000,000 acre-feet, and those two dams substituted for the Black Canyon dam, the cost of the project, including the all-American canal, would be \$175,000,000.

The total power development at Black Canyon will be only 550,000 primary horsepower. The development at Glen Canyon will be 345,000, and at Bridge Canyon, with the dam built to a height of only 566 feet, the development will be 1,015,000 horsepower, a grand total of 1,360,000 primary horsepower which can be developed at Glen Canyon and Bridge Canyon.

There will be a market for all that power before the works can be completed to furnish it. It will all be needed in Arizona, California, and Nevada without seeking a market in any of the other States.

The increased cost resulting from including the Glen Canyon dam would be only \$50,000,000.

The increased power development would be 810,000 continuous primary horsepower.

The increased annual net income value of that additional power would be \$9,000,000 on the basis of value adopted by the estimate of the Reclamation Bureau in fixing the annual net income value of the 550,000 primary horsepower at Black Canyon at \$6,100,000.

That estimate adopted 4 per cent as the rate of interest on the capital to be invested. At that rate the capitalized value of the additional 810,000 horsepower developed by Glen Canyon and Bridge Canyon would amount to \$250,000,000.

That \$250,000,000 would represent the added capitalized value created by the additional investment of \$50,000,000 required by the Glen Canyon-Bridge Canyon project, accepting the basis of valuation adopted by the advocates of the Bridge Canyon dam, which is absurdly low.

The average dividend earnings of all the power companies in the United States is \$36 per horsepower. On that basis the \$10,000 horsepower is worth an annual net income value of \$29,160,000. At 4 per cent that would give a capitalized value of \$729,000,000 created from an investment of \$50,000,000.

That huge return for an investment of \$50,000,000 takes no account of an additional potential power development of 1,751,000 additional horsepower brought into existence by the building of the Glen Canyon dam. That potential power could be utilized by building the Redwall, Mineral Canyon, and Specter Canyon power dams to develop power with the standardized flow of the river between the Glen Canyon dam and the Bridge Canyon dam.

In the face of these almost inconceivable additional benefits, Congress is urged to build the Black Canyon-Boulder Canyon low-line project instead of the Glen Canyon-Bridge Canyon high-line project, not to save taking \$50,000,000 from the Treasury that would have to be raised by taxation, but to avoid an additional bond issue of \$50,000,000, making it \$175,000,000 instead of \$125,000,000, the whole bond issue to be amortized in 25 years.

Bridge Canyon would be only 50 miles farther from Los Angeles than Black Canyon. It would be 50 miles nearer to every point of use in Arizona.

Power at Glen Canyon is no farther from Salt Lake City than power at Black Canyon is from Los Angeles.

If neither Utah nor Colorado provided a market for the Glen Canyon power, every single horsepower of it would be used in Arizona and New Mexico.

An extension of a power line from San Simon to Deming would mean the salvation of the farmers of the Mimbres Valley, in New Mexico. Only 80 miles farther, and the power would be at El Paso.

Mr. ASHURST. Mr. President, will my colleague yield to me for the purpose of calling for a quorum?

The PRESIDING OFFICER (Mr. HOWELL in the chair). Does the Senator from Arizona yield to his colleague?

Mr. CAMERON. I yield.

Mr. ASHURST. I suggest the absence of a quorum.

Mr. JOHNSON. Mr. President, a point of order. The call for a quorum is entirely out of order at the present time, no business having been transacted since the last quorum call.

The PRESIDING OFFICER. The Chair will hold that the point of order is well taken.

Mr. ASHURST. Mr. President, will my colleague yield to me?

The PRESIDING OFFICER. Does the junior Senator from Arizona yield to the senior Senator from Arizona?

Mr. CAMERON. I yield.

Mr. ASHURST. I ask unanimous consent at this juncture to introduce some amendments to the pending bill.

Mr. JOHNSON. I object, Mr. President, to the introduction of any amendment at this particular point.

The PRESIDING OFFICER. The Chair will say that he has been informed that there was a motion made to take a recess until to-morrow, and, therefore, the point raised by the Senator from Arizona is in order.

Mr. JOHNSON. Pardon me a moment, Mr. President, but the motion to take a recess was made prior to the calling of the roll for a quorum.

The PRESIDING OFFICER. The Chair is informed that the motion was put after the call of the quorum.

Mr. JOHNSON. But the motion was made prior to calling the roll for a quorum.

Mr. ASHURST. Mr. President, will the Senator from California yield to me?

Mr. CAMERON. I still have the floor.

Mr. ASHURST. I wish to observe that the roll was actually called, responses were made, and the result announced after—

Mr. JOHNSON. After the motion.

Mr. ASHURST. After the motion.

Mr. JOHNSON. Yes; that is true.

Mr. ASHURST. Then, some business must have intervened.

Mr. JOHNSON. Not at all.

The PRESIDING OFFICER. The Chair will hold that voting upon the motion to take a recess is business, and therefore the point raised by the Senator from Arizona is in order.

Mr. ASHURST. Mr. President, if my colleague will yield for the purpose of suggesting the absence of a quorum, I desire to make that suggestion, but first I ask my colleague if he will yield for that purpose?

The PRESIDING OFFICER. Does the junior Senator from Arizona yield to his colleague?

Mr. CAMERON. I yield for that purpose.

Mr. ASHURST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Sackett
Bingham	Harris	McNary	Sheppard
Bratton	Harrison	Moses	Shortridge
Bruce	Heflin	Norbeck	Stewart
Cameron	Howell	Norris	Trammell
Copeland	Johnson	Nye	Walsh, Mass.
Curtis	Jones, Wash.	Oddie	Watson
Deneen	Kendrick	Pine	Wheeler
Ferris	Keyes	Pittman	
Frazier	La Follette	Robinson, Ark.	

The PRESIDING OFFICER. Thirty-eight Senators having answered to their names, a quorum is not present. The clerk will call the list of absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. CAPPER responded to his name when called.

Mr. MAYFIELD and Mr. STEPHENS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present.

Mr. JOHNSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. PHIPPS, Mr. EDWARDS, Mr. SHIPSTEAD, Mr. SCHALL, Mr. BORAH, and Mr. WALSH of Montana entered the Chamber and answered to their names.

After a little delay Mr. REED of Pennsylvania, Mr. GOULD, Mr. GLASS, Mr. NEELY, Mr. GOODING, and Mr. FESS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present.

USE OF COLORADO RIVER IN OUR OWN COUNTRY

Mr. CAMERON. Mr. President, "where there is no vision the people perish."

Every American citizen who favors or aids the use of the Colorado River in Mexico is false to every obligation of humanity and patriotism. The Asiatic-American war bred by that use of the river would be a war in the air—a war of annihilation—a war to determine whether the Asiatics or Americans should possess the fertile shores of the Pacific in America.

Every American citizen who will learn the facts and give thought to them will be irrevocably convinced that the waters of the Colorado River must and shall be used for irrigation in the United States of America, and not in Mexico.

They must and shall be used to reclaim 5,000,000 acres in Arizona and California, which should include irrigating 1,000,000 acres in the coast basin of southern California, extending from San Diego to Ventura, instead of being used in the Imperial Valley of Mexico and on the great citrus mesa stretching away to the east from the Colorado River in the State of Sonora, in Mexico.

"Get the vision" of what the coast basin of southern California will be when every irrigable acre from the mountains to the sea, all the way from San Diego to Ventura, is abundantly irrigated with local waters supplemented by an adequate supply from the Colorado River. Then every acre may be an irrigated rural home, and every town and city in that whole region will have an ample domestic supply from that river, and a dense population will sustain itself by labor in industries furnished with power from the inexhaustible waterpower resources of the Colorado River.

"Get the vision" of what the Imperial Valley of California, and the Coachella Valley and the Palo Verde Valley, will be when those valleys, with their million acres of reclaimed lands abundantly supplied with water from the regulated flow of the Colorado River have been transformed into intensively cultivated garden farms, date gardens, orchards, vineyards, and vast fields of cotton, corn, alfalfa, melons, and vegetables, with all fear of flood or drought forever removed.

"Get the vision" of what the State of Arizona will be after the construction of the storage dam at Glen Canyon, forming the largest reservoir in the world, and the diversion dam at Bridge Canyon, and the great Arizona high-line canal. That irrigation system will furnish water for the reclamation of 10 new acreage units, each unit as large and rich and productive and populous as the Salt River Valley unit under the Roosevelt Reservoir. It will create new wealth that will be the basis for State and county taxes of \$25,000,000 a year. It will provide over 3,000,000 hydroelectric horsepower for mines and industries that will be generated within the State.

Then ask yourself what it is worth to the people of the United States of America to bring all that vast wealth and benefit to humanity into existence, and whether we can afford to surrender to Asiatics in Mexico the waters that will accomplish such a miracle if used in our own country.

If the regulated flow of the Colorado River is not used in Arizona and California, it will run down the channel of the river by gravity to Mexico. If that happens, no power on earth can prevent it from being used in Mexico to create a vast competitive Asiatic agricultural annex in America, with a competing Asiatic world seaport and manufacturing city at the head of the Gulf of California.

The time has come when every American citizen who has an ounce of patriotism or loyalty to our own country in his soul, when every American business man or farmer who has an atom of common, every-day horse sense in his head, and wants to avoid ruinous competition in the future, must first fix his mental vision on the above description of what the Colorado River, when used for irrigation in Arizona and southern California, will bring into existence in those States in the near future. Then he must turn to the alternative picture of a vast Asiatic settlement and development from the Colorado River in Mexico, look it straight in the face, and—

"Get the vision" of what that Asiatic agricultural annex in America will be after its full realization. Except that it will be both Japanese and Chinese, it will duplicate the great city and plain of Cheng-tu, in the Province of Sze Chuan, in western China, where a population of 4,000,000 is sustained by agriculture on 1,600,000 acres of land irrigated by one system of irrigation works taking water from the Min River, a tributary of the Yangtze. Substitute the Colorado River for the Min River, and the similarity is complete. In the Imperial Valley of Mexico and the Delta of the Colorado River and on contiguous citrus mesas around the head of the Gulf of California, with the waters of the Colorado River for irrigation, 1,600,000 acres will sustain a population of 4,000,000 Asiatic competitors of American farmers, and reproduce the intensive cultivation and amazing fertility of the Cheng-tu Plain.

The following description is quoted from *The Yangtze Valley and Beyond*, by Bird Bishop, published in 1900 by G. P. Putnam's Sons, New York:

The Cheng-tu Plain has an area of about 2,500 square miles (1,600,000 acres). Its chief products are rice, silk, opium, tobacco, sugar, sweet potatoes, indigo, the paper mulberry, rape and other oils, maize, and cotton, along with roots and fruits of all kinds, both muskmelons and watermelons being produced in fabulous quantities. From any height the plain looks like a forest of fruit trees. * * * Oranges reappear in splendid groves. * * * The soil, absolutely destitute of weeds, looks as if it were cultivated with trowels and rakes. * * * It has an estimated population of 4,000,000, and is sprinkled with cities and flourishing marts and large villages, Cheng-tu, the capital, having at least 400,000 people. Along the main roads the population may be said to constitute a prolonged village.

Once sure of the Colorado River for reclamation, as they would have been if the recommendations of the Fall-Davis report had been accepted and the Boulder dam authorized by Congress, this vast Asiatic settlement and development in Mexico would move rapidly forward to its full realization. With 500,000,000 to draw from in heavily overpopulated Japan and China, the Japanese would bring 4,000,000 from Asia to this new Asiatic Eldorado in America in Japanese steamships just as fast as we regulated the flow of the river so they could be assured of its use for reclamation. If the Boulder dam had been built, this would have been immediately on the completion of that dam.

If Arizona should be cajoled, coerced, or corrupted into ratifying the Santa Fe-Colorado River compact, the same result would follow, as it likewise would if the Federal Power Commission were to grant the power permit for a dam at Diamond Creek, or if the Black Canyon dam were to be built as a substitute for the Boulder Canyon dam. The inevitable consequence would be that this Asiatic colony and city in America would be a breeding ground for international competition and friction, resulting in an Asiatic-American war, which would ultimately end in another World War worse than the last.

Between those two alternatives of either using the water of the Colorado River in our own country, or allowing them to go to Mexico for Asiatic agriculture in that country, the American people must make their choice. They can have either the one or the other. They face the certainty that the water will be used in Mexico for Asiatic settlement and development, if we do not use it in the United States of America for irrigation, after having regulated it for power, as would have been done by the Boulder Canyon dam, or as would be done if the Black Canyon dam were constructed.

If the decision of the people of the United States of America is to use the water in our own country, instead of to create Asiatic competition in Mexico, then there is no escape from the fact that the necessary irrigation works must be built

to provide for that use, and to divert the water from the river to 5,000,000 arid acres in Arizona and California.

And this must be done just as soon as the floods of the river are stored and the flow regulated for power, because the necessary irrigation works must be built and the water actually and in fact used to irrigate these 5,000,000 acres in Arizona and California before the use of the water in Mexico has established a claim under the comity of nations for the perpetual right to use the water in that country.

Consequently, the building of these works for irrigation in Arizona and California must go hand in hand with the regulation of the flow of the river for power anywhere in its watershed.

IF THE WATER GOES TO MEXICO THIS IS WHAT WILL HAPPEN

American land speculators now own practically all the lands that will be reclaimed from the Colorado River in Mexico. Those lands will be sold to Japanese. The new treaty between Mexico and Japan has made that certain. It was ratified by Japan in May, 1925.

Under the rights and privileges granted to them by that treaty the Japanese will rapidly develop a population of several million Asiatics in the delta of the Colorado River and around the head of the Gulf of California, in Mexican territory, but in reality under Japanese control.

The Japanese, under that treaty, will become Mexican citizens, buy and own the land, control politics, and cheerfully pay the taxes which will be a huge accretion to the Mexican treasury. They will densely populate and intensively cultivate an ultimate area of 2,000,000 acres of reclaimed land irrigated from the Colorado River. They will sell their products in competition with every American farmer in every American market.

We sought protection from their competition by our anti-alien land laws. And now we are contemplating giving them the Colorado River to reestablish in the Imperial Valley of Mexico a more dangerous competition than existed in our own country, and in the Imperial Valley of California.

Asiatic competition in Mexico, on lands irrigated from the Colorado River, will ruin every fruit grower, and every producer of melons, vegetables, and garden or farm products in Arizona and Southern California who is dependent on a local market in those States. Every American farmer in any of the intermountain States or in Nevada or Utah, looking to the Southwest for a market will find it absorbed by these Asiatic competitors in Mexico. The products from this Asiatic agriculture in Mexico will rub shoulders in competition with the products of American farms anywhere, which yield the same products and seek the same market. Every American producer will have to pay the American wages while his Asiatic competitors below the line in Mexico will pay the Asiatic wages, or cultivate their own little garden farms each for his own living according to their Asiatic standards, which is the most dangerous form of this rural competition.

Asiatic competition will put out of business every citrus fruit grower in southern California as soon as the citrus fruit lands in Mexico irrigable from the Colorado River can be brought into bearing. The great level mesa extending far to the east from the Colorado River in the State of Sonora in Mexico is the finest citrus fruit belt in the world. It is several hundred thousand acres in extent, and large areas can be irrigated with a very low lift of from 50 to 100 feet from the Colorado River. The Japanese, with their immaculate orchards, will see to it that no ban on their products is maintained, and the efforts to secure tariff protection would end as it failed when the effort was made to get protection for lemons and long-staple cotton.

Asiatic competition will cut heavily into the ocean commerce of the city of Los Angeles, because the Japanese, encouraged by their new treaty with Mexico, and to the great advantage of Mexico, will establish a competing world seaport on the Gulf of California, on the southern shore of this great citrus fruit mesa. They will give cheaper rail and water rates than Los Angeles to the markets of the world for all the products of the orchards, vineyards, gardens, farms, factories, mills, and mines of the Imperial Valley, the whole Colorado River country, and the ultimate Southwest. Their ocean-going steamships will return laden with imports for that vast territory. This immense commerce will be lost to Los Angeles.

I want to say right here that this would be the best seaport in the United States. Coming from the mouth of the Panama Canal, we have to reach San Francisco at the present time before we have an entrance to a seaport, that being the first port of entry on the Pacific coast. But here they would have the best kind of a naval base that could be found any place on the coast of the United States, located on the land which they have acquired bordering on the Gulf of California. I

have gone into that matter in great detail. In 1909 and 1910 I made a very careful study of the western coast of Mexico, and I can assure everyone in the Senate and in the United States that there is no place, either on the Atlantic coast or the Pacific coast, for a rendezvous for a big Navy and deep sea harbor like there is at the head of the Gulf of California.

Asiatic competition from this new Asiatic manufacturing city in America will be as disastrous to American manufacturers as was the Asiatic competition of the Chinese factories in California before the Chinese exclusion act stopped it. At this new competing seaport Asiatics will establish great factories to fabricate every product of human industry into which human labor largely enters. They will compete with every American manufacturer. With their raw materials at tidewater and their labor by the shipload from Asia, they will undersell in every American market. No tariff will ever cover the difference between Asiatic wages and American wages.

The new treaty between Japan and Mexico contemplates that exact thing. The industrial genius and capital of Japan will establish vast enterprises in Mexico. They will not compete with or exploit the Mexicans. They will bring to that country a new development otherwise impossible and a new prosperity which they will share with the Mexican people. Japan can and will supply all that Mexico lacks and needs to make our sister Republic one of the greatest nations of the world in the closest alliance with Japan.

In all of Mexico there is only this one location where a new world port and manufacturing city can be located "where rail and water meet," as they will at the point where this new Asiatic city in America will be established. At this point it will have a back country in Mexico of 2,000,000 acres of the richest garden and citrus fruit land in the world. Only a stone's throw from our southern boundary line, it will have a rail connection with the whole railroad system of the United States of America. It will have a water connection from which Japanese steamships will reach the oceans of the world and ply to every world market, connecting with the Atlantic through the Panama Canal.

That new seaport city will be at the head of the Gulf of California, on the northern shore of the gulf, about half way between Mexicali and Tucson. It will be connected with Yuma and Ajo by branches to the north from a railroad running about 125 miles from Mexicali to the new seaport on the Gulf of California and thence 150 miles to Tucson. At Tucson it will connect with the Southern Pacific and the El Paso and Southwestern, and over them with the Rock Island at El Paso and the Santa Fe at Deming.

Once this new railroad, which is now under construction west from Mexicali, is completed, the traffic of the interior Southwest will slide to tidewater at the head of the Gulf of California, instead of at Los Angeles. Los Angeles will then have paid a heavy penalty for her acquiescence in the conspiracy to steal the Colorado River for Asiatic development in Mexico.

American manufacturers are asleep at the switch. They assume that they have no concern with the Colorado River, while a conspiracy of American land speculators, scheming to make a huge profit by stealing an American river and selling it to build an Asiatic competitive colony and manufacturing city in Mexico, would cut the very ground from under the feet of many American industries by bringing the competition of the Asiatic wage scale to America and planting it where its competition would be inescapable.

An Asiatic wedge would be driven into the heart of America! And if that should be done, as the result of the apathy and indifference of those who have the most to lose by it, agricultural, commercial, industrial, and labor competition will inevitably cause international friction that will in the end bring on a war between Asia and America. It will be a war in the air.

The world port in Mexican territory under Asiatic control will constitute an airplane base within an hour by fast military airplanes from the city of Los Angeles. Whenever that war is begun, fleets of bombing planes will wreck every source of water supply in the Southwest, the Los Angeles Aqueduct; the San Diego, Bear Valley, and Hemet Reservoirs; the Roosevelt, Mormon Flat, and Granite Reef Dams; the Elephant Butte and Lahontan Government projects; and will ruin every city from Santa Barbara to El Paso and destroy their populations with fire and poison gas.

CONSPIRACY TO STEAL COLORADO RIVER A MILITARY MENACE

As a measure of national safety, to promote peace, to prevent war, to safeguard the world against a worse calamity than the last World War, the use of the Colorado River to reclaim lands in Mexico that are destined in that event to become an Asiatic agricultural annex in America must be prevented, by our own National Government, at all hazards, and with a

classification of the cost as a military necessity, ranking with the millions we now spend on Army, Navy, and fortifications.

The world calamity that would result from the establishment of this little Asia in America, can be prevented in no other way but by using the water in the United States of America. That water must be used to build American homes under the American flag, develop American institutions, establish American industries, and protect our country from the menace that always would hang over it if the Colorado River were used to bring into existence a vast Asiatic settlement and development below the line in Mexico. The question of what we can afford to spend for that purpose must be decided in comparison with the inevitable alternative of war—a war more destructive and disastrous than anything the world has yet seen.

The Japanese have been forced out of California because we can not compete with them in this country. Their competition below the international boundary line in Mexico would be much more dangerous. We have passed the antialien land laws which prevent them from even renting land in the Imperial Valley of California, or anywhere else in California. Shall we now give them the Colorado River to reclaim and populate the Imperial Valley of Mexico?

Since the Japanese were legislated against in California, Mexico has made a treaty with Japan which extends a most cordial invitation to them to come to Mexico as citizens of a most-favored nation. There is a racial affinity between the Japanese and the Mexicans. The Mexican people will be the stronger from the merger of the races that will ultimately result in Mexico. The Japanese in Mexico will become a part of the body politic, just as the Anglo-Saxons or Europeans have with us. That is Mexico's right, and it is equally Japan's right. So far as we are concerned they may well say to us that it is none of our business.

But it is our business when a group of American land speculators buy all the land in the delta of the Colorado River, including vast adjacent citrus fruit mesas, and then deliberately scheme to steal the Colorado River to reclaim that land and sell it to Japanese capitalists to become a Japanese colony with all the evil consequences to the United States of America that would result from the success of that speculation.

And it is our business to frustrate that conspiracy by seeing to it that the waters of the Colorado River do not go to Mexico; but if we are to do that we must actually, and in fact, use those waters in the United States of America.

And right there is the crux of this great national problem.

Shall we really, in good faith, do what is necessary to use the water in the United States, or shall we just talk about it, pass legislative resolutions about it like those passed in the last Arizona Legislature, and let it end in bluff and bluster, or in sham and pretense, saying much and doing nothing?

When the Albert B. Fall-Arthur P. Davis report was made, and the Fall-Davis newspaper interviews were given out, at the time the Colorado River Commission was meeting in Phoenix, Ariz., the fact was flaunted in the faces of those who demanded that the water should be used in our own country that 40 per cent of the waters of the Colorado River should go to Mexico and 60 per cent to the United States of America.

The scheme proposed in that Fall-Davis report, Senate Document No. 142, known as the Boulder dam report, actually and in fact surrendered to Mexico eleven-sixteenths of the water for irrigation, with a good chance that they would ultimately get more than twelve-sixteenths, or 75 per cent instead of 40.

Yet there are some who are still calling that report "the Bible of the Colorado River" and urging the construction of the Boulder Canyon dam, or the Black Canyon dam, which is practically the same thing only a little worse.

The Boulder Canyon dam, built to develop power, would drop the water back to the 706-foot level at the base of the dam. From that elevation it would never again be diverted by gravity onto any lands in Arizona and California except 1,220,000 acres, as set forth in the Fall-Davis report. The Black Canyon dam is farther down the river and would, if built, drop the water to a still lower level. The bed of the river at Black Canyon is 60 feet lower than at Boulder Canyon.

PATRIOTIC PUBLIC OPINION WILL ULTIMATELY PREVAIL

The light is beginning to dawn. The people of this country are at last slowly waking up. The facts are becoming known. Few and far between are those who do not now concede that this second greatest American river must be used in our own country to reclaim our own deserts, instead of being given to a few speculators to be sold at a huge profit to Asiatics in Mexico.

As yet, however, there are some who do not realize that the only way to make sure that the Colorado River shall be used for irrigation in the United States of America, and not in Mex-

ico, is to build the irrigation works necessary for its use in our own country, and actually use it ourselves before any alleged right to it can have been established in Mexico by prior use under the comity of nations.

The reason the river has heretofore run to waste in the Gulf of California to such a large extent, instead of being used in Mexico, is because the flood waters can not be used in Mexico for irrigation unless they are reservoired and the flow of the river regulated by storage in the United States.

If we store the floods and regulate the flow of the Colorado River and use it for power development in the United States of America, and do not at the same time provide the necessary works to insure its use for irrigation in our own country, then the regulated flow of the river will run to Mexico by gravity.

Every drop of such regulated flow will be immediately diverted from the river and used in Mexico and made the basis for a claim under the comity of nations.

THE COLORADO RIVER AMERICAN HIGH-LINE SYSTEM

There is no practicable plan that can be devised by the genius of man that will provide for the use of the waters of the Colorado River for irrigation in the United States of America, and prevent their going to Mexico by gravity, except the building of the Colorado River American high-line system, which must include the Glen Canyon storage dam and reservoir, the Bridge Canyon diversion dam, and the Arizona high-line canal.

The lands necessary to be irrigated in the United States to prevent the water from going to Mexico by gravity can not be irrigated unless the water is diverted from the river into the Arizona high-line canal at an elevation of 2,000 feet above sea level.

The only place where the water can be taken from the river at that elevation is at Bridge Canyon. If the water is diverted at Bridge Canyon it can be led out by gravity over 3,000,000 acres in Arizona, and can be taken by gravity to Los Angeles, or anywhere in the coast basin of southern California from San Diego to Ventura, between the base of the mountains and the ocean.

Of course, there must be a large storage reservoir above the diversion dam at Bridge Canyon. The only place where such a storage dam and reservoir can be constructed above Bridge Canyon to store the floods and regulate the flow of the river for use in the lower basin is at Glen Canyon. The Glen Canyon dam site is just above Lee's Ferry, near the north line of Arizona. The reservoir would extend back into Utah, leveling that reach of the river between its canyon walls for nearly 200 miles.

Consequently it is mere idle talk to declare that the waters of the Colorado River must be used in the United States unless the fact is frankly conceded that this can not be done without building the Glen Canyon storage dam and the Bridge Canyon diversion dam and the Arizona high-line canal. They must constitute the Colorado River American high-line system for the use of the waters of the Colorado River for irrigation in the United States of America instead of in Mexico. Without that system any declaration against the use of the water in Mexico such as that embodied in the resolution passed by the last Arizona Legislature is merely "words, words, full of sound and fury, signifying nothing."

No one should be heard to make the declaration that the water should be used in the United States unless they are willing to squarely meet the issue and demand the building of the Colorado River American high-line system, embracing the Glen Canyon dam, the Bridge Canyon dam, and the Arizona high-line canal. Otherwise the declaration deceives those who are ignorant of the facts, and in that way does great harm, besides creating doubt as to the sincerity of the maker of the declaration.

The people of the United States as a whole face the issue, and there is no escape from it, that they must either make sure and this Colorado River American highline system is built and thereby use the Colorado River in our own country, or let it go to Mexico to be used to transplant millions of Asiatics to America to compete with American labor, American farmers, and American manufacturers.

It is only necessary that the American people should know the facts, to determine that question.

No matter what else we may do in this country, if the Glen Canyon storage dam and the Bridge Canyon diversion dam and the Arizona highline canal are not built, the Asiatics in Mexico will get 8,000,000 acre-feet of water annually from the Colorado River, and that is enough to irrigate 2,000,000 acres in Mexico.

They will get that 8,000,000 acre-feet annually just as soon as the river is regulated for power in the United States, as was

proposed to be done at the Boulder Canyon dam by the Fall-Davis report, and as is now proposed to be done at the Black Canyon dam, which is urged as a substitute for the Boulder Canyon dam, on account of better bedrock conditions. The Black Canyon site is only 40 miles farther down the river than the Boulder Canyon site, and would use the same reservoir site for storage.

The time has come when the development of the Colorado River for power is inevitable. The power is needed, and communities needing the power will not go without it merely to prevent Mexico from getting the water for irrigation. That has been proved by the campaign for the Boulder Canyon-Black Canyon power project.

If the Colorado River compact were ratified, as formulated at Santa Fe, or if the Boulder Canyon dam or the Black Canyon dam or the Diamond Creek dam were built, Mexico would get not less than 8,000,000 acre-feet annually, enough to irrigate 2,000,000 acres.

The reasons for that is that if either of those four things were done, it would be impossible to ever get the Bridge Canyon dam built, and at no other place on the river can the water be diverted at a high enough elevation to irrigate the lands in the United States of America.

If the Colorado River American high-line system, herein-after explained and advocated, including the Glen Canyon storage dam and the Bridge Canyon diversion dam, and the Arizona highline canal, is built, that 8,000,000 acre-feet annually will not go to Mexico. It will be used to irrigate 5,000,000 acres in Arizona and California.

THE REGULATED FLOW OF THE COLORADO RIVER

The total regulated flow of the Colorado River, averaged over 20 years, is something over 16,000,000 acre-feet at the Laguna Dam above the mouth of the Gila River. The waters of the Gila River are not included in this estimate.

It was estimated at 16,400,000 acre-feet in Senate Document 142, Sixty-seventh Congress, second session, page 5. It was estimated at 16,200,000 acre-feet in United States Geological Survey Water Supply Paper 395, page 192.

It is conceded that there will be no appreciable diminution of this flow for many years resulting from increased irrigation in the upper basin. In the meantime, the water necessarily goes to Mexico, and they will have set up a prior claim under the comity of nations by actual use in Mexico long before the water can be used in the upper basin. The Mexican lands, long owned and cultivated by Asiatics, will thereby cut out any latent right of the upper basin to take it away from them at some future time. As against any use in the United States of America the rights of the upper basin can be reserved, but any such reservation would be practically futile as against actual use by the Japanese in Mexico.

All the regulated flow of the Colorado River, everything that comes into the lower basin, will be used in Mexico for irrigation as fast as it is regulated in the United States of America except what is actually used for irrigation in Arizona and California.

If the Arizona high-line canal is not built, the area irrigable in Arizona and California is fixed by the Fall-Davis report (S. Doc. No. 142) at 1,220,000 acres in both States; 940,000 in California and 280,000 in Arizona. This will require not over 5,000,000 acre-feet annually. Add to this 1,000,000 acre-feet annually for Los Angeles, and the total for California and Arizona is 6,000,000 acre-feet.

Let it be assumed that Arizona will dry up the Gila River, and that the upper basin will gradually increase their use 2,000,000 acre-feet more. Even then the total use in the United States of America would, under those circumstances, be only 8,000,000 acre-feet, which leaves the remaining 8,000,000 acre-feet for Mexico.

If the Boulder Canyon dam and reservoir had been built as proposed in the Fall-Davis report, already referred to, that 8,000,000 acre-feet annually would have gone to Mexico forever. It would have been stored and regulated in the United States of America, and used in Mexico to create an Asiatic agricultural annex in America comprising an ultimate 2,000,000 acres, with a population of four or five million Asiatics, around the head of the Gulf of California in Mexico.

It matters not where the water is stored in the United States of America; if it is used in this country for power development, after being regulated for that purpose by the storage of the floods, and is not used for irrigation in this country, then what is not used for irrigation in our own country must inevitably go to Mexico and be used there for irrigation. So, even though the Glen Canyon dam were built for storage, if the Bridge Canyon dam were not also built for diversion and the Arizona high-line canal also built for the transmission of the water

from the point of diversion to the irrigable lands in our own country, Mexico would still get the water for irrigation.

The water must be stored in a reservoir higher up the river than the Bridge Canyon dam, and Glen Canyon is the only place where it can be done. Therefore, to emphasize this stupendously important fact, let it be said again that the whole system for irrigating our own country for the benefit of Americans, instead of irrigating Mexico for the benefit of Asiatics, necessitates not only the Glen Canyon dam for storage, but also the Bridge Canyon dam for diversion and the Arizona high-line canal for the transmission of the water to the lands to be irrigated.

Let that fact be constantly borne in mind. All the water that comes to the lower basin of the Colorado River that is not used in California can and must be used in Arizona. No one questions but that Nevada should have water to irrigate all the lands that can be reclaimed in that State from the Colorado River; but the area does not exceed 100,000 acres, requiring only 300,000 acre-feet of water annually. This land can be irrigated if the Bridge Canyon dam is built, but would be submerged under the reservoir created by either the Boulder Canyon or Black Canyon dams.

California has asked for water for use in that State aggregating only 4,000,000 acre-feet a year for irrigation and 1,000,000 acre-feet for Los Angeles. If California wants more, she has not yet proposed any plan for using it in that State. To apportion water to California, when no plan for using it in California is contemplated or proposed by anyone representing that State, would be merely to permit California to be used as a smoke screen behind which to secure the water for Mexico.

THE INTEREST AND OBLIGATION OF THE NATIONAL GOVERNMENT

The problems of the Colorado River, the second greatest American river, are national, international, and interstate. They can not be solved without the cooperation of the National Government of the United States of America, and they can be solved without doing injustice to any of the States in the basin or watershed of the Colorado River.

Any right plan for the full development of all the resources of the Colorado River now lying latent and undeveloped, because this stupendous national asset is largely unused and wasted, will have the support of all the States whenever the facts are known to the people.

The plan urged in the Fall-Davis report—the Boulder Canyon power project, which is now known as the Black Canyon power project—will never have the support of the people of the country at large, because it is manifestly on its face a scheme to use the necessities of Los Angeles for power as a leverage to secure for American speculators in Mexican lands what amounts to a donation of 8,000,000 acre-feet annually, or 50 per cent of the regulated flow of the Colorado River, to be sold to Japanese for a great Asiatic colonization scheme in America.

The Colorado River drainage basin naturally divides into the upper and the lower basin at Lees Ferry, just below the north line of Arizona; and nature has provided at that location a great reassembling and reregulating reservoir known as the Glen Canyon dam site and storage reservoir.

The problems of the lower basin of the Colorado River must be separately studied and solved. They must not be complicated by any effort to interrelate them with the problems of the upper basin. All the water coming down the river from the upper to the lower basin, no matter when or how or for what purpose it has been used above, will find its way into the Glen Canyon reservoir. It can be drawn from that reservoir at any time or in any quantity required for its highest economic use in the lower basin of the Colorado River in the United States of America.

The annual flow of the Colorado River varies from a total of about 8,000,000 acre-feet to about 25,000,000 acre-feet, according as the years are wet or dry. To insure the conservation and use of all this irregular annual flow, a reservoir of at least 40,000,000 acre-feet storage capacity should be built at Glen Canyon, in which water could be carried over from the wet years for use in the dry years, and the flow of the river equated in all years, notwithstanding seasonal variations. This would require a dam 653 feet above stream level, which would create a reservoir capacity of 41,454,380 acre-feet. See the "Map, cross section, and area and capacity curves for Glen Canyon flood control and power site No. 1," Plate V, opposite page 22, with photographs, La Rue report, Water Supply Paper 556.

The Glen Canyon storage dam and reservoir should be built by our National Government for (1) flood control, (2) navigation, (3) river regulation, and (4) to safeguard the Nation against war and promote peace, by obviating the international competition and consequent friction which would inevitably

result from the creation of a vast Asiatic settlement in Mexico. These purposes are all within well recognized and established policies of the National Government.

1. FLOOD CONTROL

For flood control, this Glen Canyon dam and reservoir would protect the entire lower river from the menace of destructive floods from the Colorado River, all the way from Glen Canyon to the Mexican line, including the Mohave Valley, the Palo Verde Valley, the Yuma Valley, and the Imperial Valley. Ninety per cent of the flood water that now menaces those valleys comes from above Glen Canyon. All possible danger from the floods of the Gila River should be eliminated by a flood-control dam to utilize the Sentinel reservoir site for flood control. It is conceded to be practicable and available for that purpose, and should be built.

2. NAVIGATION

The Colorado River is navigable, and in the future long reaches of it will be actually navigated to supply links connecting with railroad transportation. This future use will be larger and of greater economic importance than the navigation of the old steamboat days on the river, before the railroads, when freight and passengers were carried as far up as Callville by the river route.

The first link to realize this great potential future era of revived navigation on the Colorado River will result from the building of the proposed Glen Canyon dam. That structure will create a reservoir in the narrow canyon of the river which will provide a waterway nearly 200 miles long from Glen Canyon almost to the mouth of Green River, with long navigable reaches up the San Juan and the side canyons. This waterway would open up to the world all the southern part of Utah. It would connect at the Glen Canyon dam with a railroad that would be an extension to Glen Canyon from the present Santa Fe Railroad to the Grand Canyon at El Tovar. That railroad would be a necessary adjunct to the building of the Glen Canyon dam, and its cost would be justified by the future traffic that would be developed for the railroad by its connection with this navigable waterway in Utah. It is officially estimated that if this great river improvement were made, 200,000 tourists annually would visit this region. It would be of inestimable advantage to the State of Utah.

Mr. NEELY. Mr. President—

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Arizona yield to the Senator from West Virginia?

Mr. CAMERON. For a question.

Mr. NEELY. I merely desire to ask the Senator if he will not talk a little louder. We can not hear him over here at all.

Mr. CAMERON. I will say to the Senator that if he will move over this way there is lots of room.

Mr. NEELY. I do not want to crowd the Republican side of the Chamber.

Mr. CAMERON. We welcome the Senator over here.

3. RIVER REGULATION

National resources saved from waste and made available to produce new national wealth and supply the needs of the people would alone justify the building of the Glen Canyon dam. The complete standardization of the flow of the Colorado River below Glen Canyon, and its equalization over a period of years of varying flow, would create over 4,000,000 potential horsepower, and make possible the reclamation of 5,000,000 acres of fertile but now arid land in Arizona and southern California. These vast national resources would be thus created practically out of nothing, and by the building of the Glen Canyon dam would be brought within reach of development by the States of the lower basin or by private enterprise or quasi public irrigation or power districts, or both combined, either with or without the cooperation of States or municipalities.

4. PREVENTION OF WAR

Most important of all, and the most urgent and imperatively necessary reason for the building of the Glen Canyon dam by our National Government, is that if this is not done the larger portion of the waters of the Colorado River will go to Mexico and be used there to irrigate an Asiatic settlement ultimately cultivating 2,000,000 acres of land. This land will inevitably be acquired and owned by the Japanese. The scheme for its reclamation includes a world seaport on the north coast of the Gulf of California, with a railroad about 125 miles in length connecting it with Mexico, and 150 miles in length to Tucson. Control of this railroad would give actual control of the country, just as the Japanese now control Manchuria through their control of the South Manchuria Railway.

There is no way to prevent the driving of this Asiatic wedge into the heart of America except for the National Government to build the Glen Canyon dam. If it is built as a storage reservoir only, for flood control, navigation, river regulation, and to safeguard the Nation against war, the building of the Bridge Canyon dam and the Arizona high-line canal will follow. All the waters of the Colorado River will be absorbed for the irrigation of lands in the United States of America—3,000,000 acres in Arizona and 2,000,000 acres in southern California. Of the land in California, 1,000,000 acres will be in the Colorado River Basin and 1,000,000 in the coast basin. The building of the Glen Canyon storage dam thus becomes an inescapable military necessity to prevent international competition, obviate international friction, promote friendly international relations, safeguard against an Asiatic-American war, and preserve the peace of the world.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Tennessee?

Mr. CAMERON. For a question.

Mr. McKELLAR. Where is that land—the 2,000,000 acres of which the Senator speaks?

Mr. CAMERON. It is right adjacent to our southern boundary line, between Yuma and the Imperial Valley. I have a map of it here which will be inserted in the Record. There it is, right there [exhibiting map]. Here is Arizona, and here is California.

We are living in an era of spasmodic economy. The Glen Canyon dam, built to a height of 653 feet, forming a reservoir holding 40,000,000 acre-feet, will cost \$50,000,000. It is more economical to spend that amount to build the Glen Canyon dam than run the risk of a war with Asia. Our late unpleasantness in Europe cost this Nation \$40,000,000,000, and it would cost many times that huge national expenditure to win a war with Asia. The big interests and men with big incomes who are so determined, at all hazards, to secure a reduction in their taxes should do a little figuring on the cost of a war with Asia.

There may be some who do not "anticipate" an Asiatic-American war. There are no doubt others who do not wish to concede that we are "preparing" for such a war. But the fact remains that we are spending hundreds of millions of dollars to be ready for it when it comes—fortifying Manila, making Hawaii impregnable, protecting the Panama Canal, patrolling the Pacific with our Navy, and launching our naval airplanes for flights to Asia.

This is not written to object to the doing of those things. It is written to protest against making them all foolish and useless, by establishing the enemy in our rear, while at the same time we make the war inevitable. We might admit that all these measures for national defense are taken only for the edification of the South Sea Islanders or the Aleutian Islanders, or to impress the Thibetans and Tungus Tribes. But is it not the last limit of national idleness and infinite futility to spend millions upon millions for national safety or defense in the way we are doing, while we either ignorantly, or blindly, or deliberately, or treasonably, give away the waters of the Colorado River to be used to transplant a huge slice of overpopulated Asia to the back door of Los Angeles, and root it there at the head of the Gulf of California, in an Asiatic agricultural colony and world seaport, in Mexican territory, but under Japanese control, which, in the event of war with Asia, could not but constitute an Asiatic airplane base?

From that Asiatic airplane base in Mexico it would be not over an hour's run by fast military airplanes to every city in southern California and southern Arizona, and to all the great sources of water supply in that territory and works for its distribution for irrigation and domestic use. Their destruction would force the abandonment of that country for human habitation and transform it back into a desert waste.

The mere suggestion that such a military menace would be created by a conspiracy to surrender the waters of a great American river to Asiatic aliens in Mexico is a shock to patriotism and loyalty to our country. Yet that is exactly what the Fall-Davis-Boulder Canyon dam and power project for the ostensible benefit of Los Angeles contemplated, and would have accomplished, supplemented by the iniquitous Santa Fe-Colorado River compact, if the whole scheme had not been mercilessly exposed and held up to the public scorn which it deserved.

Now, the Black Canyon dam has been substituted for the Boulder Canyon dam, but the scheme is still essentially the same. If anything, it is more treacherous and dangerous, because more plausible and deceptive. There is not one objection to the Boulder Canyon scheme that does not hold against the Black Canyon scheme.

IF SUCH A SCHEME IS NOT TREASON, WHAT IS IT?

Every man is presumed to intend the consequences of his own acts.

And when the consequences of those acts are so inconceivably appalling and destructive to a nation, will its citizens be heard to say that their only purpose was profit for themselves?

Why were we so sensitive about Magdalena Bay, and the fact that Japan happened to have a warship anchored there, and now so apathetic about a project which creates for all future time a menace that strikes at the very heart of the safety of this Nation and the peace of the world?

Has a far-reaching conspiracy by American speculators in Mexican lands, promising a profit of half a billion dollars, become so sacrosanct that it "doth make cowards of us all," and has the power to put to sleep the constituted authorities charged with the national defense; strangle efforts to arouse governmental agencies to a realization of national danger; suppress every expression of national patriotism; prevent the survey, study, and investigation of physical facts indispensable to a right determination of the problem; deceive and mislead the people by gross exaggeration of construction costs and undertake thereby to discredit practicable plans for using the waters in the United States of America?

All this has been done in the hope that the people of this country will permit the waters to go to Mexico under the mistaken belief that they can not be used in our own country.

THE FALL-DAVIS REPORT TOLD ITS OWN STORY

That report, entitled "Problems of Imperial Valley and Vicinity" Senate Document No. 142, Sixty-seventh Congress, second session, was transmitted to Congress by then Secretary of the Interior, Albert B. Fall, on February 28, 1922. It followed the "Preliminary Report" which was transmitted to Congress by Arthur P. Davis on November 27, 1920.

The "Preliminary Report" was an even more brazen scheme than the later report for the reclamation of an empire in Mexico with our second greatest American river, without any effort to work out a plan for the use in this country of waters to which Mexican lands are now conceded to have no moral or legal right whatsoever. The United States of America has the full and perfect moral, as well as the legal rights, under admitted international law to use those waters within its own territory.

The preliminary report contained the following, which was omitted from the final report:

No branch canal lines were surveyed for Mexican lands. The lands in Lower California would probably be best supplied by extensions from the Imperial Canal as constructed, and those in Sonora by enlargement and extension of the main canal of the Yuma project.

The last suggestion is, in so many words, equivalent to a recommendation that the main canal of a United States Government project, built under an act passed by Congress to encourage homemaking in our own country, should be used to build up a huge competitive production in Mexico to ruin the producers under the Laguna and Salt River Valley projects, as well as every other farmer in the Southwest.

The address of Albert B. Fall at the Riverside Colorado River Congress in December, 1921, was followed by the Fall-Davis report above referred to, transmitted to Congress on February 28, 1922, and further supplemented by the newspaper article from Albert B. Fall which appeared on page 5 of the Arizona Republican on March 23, 1922. The meat of this article will be found on page 1520 of the hearings before the Committee on Irrigation and Reclamation of the House of Representatives on the Swing bill on April 23, 1924.

Since Albert B. Fall ceased to be Secretary of the Interior others high in the councils of the National Government have ably continued his efforts to send the waters of the Colorado River to Mexico, and frustrate every effort to provide for their use in the United States of America.

The weirdly inexplicable situation has existed that while belittling and endeavoring to discredit every attempt to save the Colorado River for our own country they strenuously protest that they are against giving Mexico any water. At the same time they advocate a plan which makes it impossible that 8,000,000 acre-feet of regulated annual flow can go anywhere else than to Mexico. Then they crack the lash over Arizona and endeavor to force that State to surrender its own birthright and the rights of the Nation to this great national resource by the ratification of the iniquitously deceptive Colorado River compact as formulated at Santa Fe and repudiated by Arizona.

Would anyone question the applicability of the word "treasonable" to a conspiracy to bring about the surrender and re-annexation to Mexico of the territory acquired by us under the Gadsden Purchase in 1853, and thereby nullify our alien land

laws as to that territory, and open it up to Japanese exploitation under the recent treaty between Japan and Mexico?

Yet the national resource that would thereby be torn from territory now under our flag would be of less economic value to the United States of America than the waters of the Colorado River when used to irrigate 1,000,000 acres in the coast basin of southern California, 1,000,000 acres in the Colorado River Basin in California, and 3,000,000 acres in Arizona, with all the accompanying American population, production, and prosperity that would result from that use of the water in the United States of America.

It will not be long before the American people wake up to the fact that they are being grossly misled by this Colorado River conspiracy. The vision will get into their minds of what any airplane traveler of the future will see after that conspiracy has been defeated, who starts from Casa Grande and encircles the Salt River Valley, sailing the air over green fields and fertile farms in the Paradise Valley, Deer Valley, the Vicksburg Valley, the Bouse Valley, the Butler Valley, the great Cactus Plain, and then following the river back from Parker to Yuma. Then from Yuma to the Gillespie Dam, overlooking the whole vast lower Gila River Valley teeming with a happy and prosperous people on irrigated farms. Then to the coast basin of California and flying over all that is now in southern California with the added miracle of what will be there when another million acres of now unirrigated land has been abundantly irrigated from the Colorado River between Ventura and San Diego. Then crossing the mountains between San Diego and the Imperial Valley, to view that marvel of fertility, forever safeguarded against the menace of either drought or flood, and with the Palo Verde and Coachella Valleys making its annual contribution to the world's wealth.

When the general mass of the public mind has once conceived that vision, is it believable that they will throw it all away in order that below the line in Mexico the waters shall be used to reclaim 2,000,000 acres of lands to be cultivated by Asiatics in competition with the farmers under the American flag, who are bearing their share of the burdens of sustaining American institutions instead of Asiatic institutions?

No attempt to "carry water on both shoulders," or pretend one thing and do another, can be longer tolerated in this great battle for the Colorado River.

Either the waters are to go to Mexico or they are not!

If the Boulder dam is built, the waters go to Mexico. If the Black Canyon dam is built, the waters go to Mexico. If the Glen Canyon dam is built for storage and the Bridge Canyon dam is built for diversion, the waters do not go to Mexico. If the Glen Canyon dam is built for storage and the Bridge Canyon dam is built for diversion, instead of going to Mexico those waters will be used to irrigate 1,000,000 acres in the coast basin of southern California and 3,000,000 acres in Arizona.

Just two things are necessary to accomplish that stupendous benefit to the United States of America. The first necessity is that the National Government shall build the Glen Canyon dam at a cost of \$50,000,000. It may recoup its investment from more than 2,000,000 potential horsepower of hydroelectric energy brought into being by that structure; and

The second necessity is that the city of Los Angeles will temporarily accept from the Bridge Canyon dam, only 50 miles farther from Los Angeles, the same resource of hydroelectric power that it is now urging shall be developed at the Black Canyon dam. Those two necessities being conceded, the rest of the problem of saving the river for our own country becomes easy of accomplishment.

Where is the loyal and patriotic American who will hesitate when called upon to decide that question for this country between the Black Canyon project on the one hand and the Glen Canyon-Bridge Canyon project on the other? Whatever public sentiment has been built up by newspaper advertising and propaganda in behalf of the Boulder Canyon or Black Canyon dam is a misinformed or uninformed public opinion and will vanish into thin air whenever the facts get before the people.

The constructive plan hereinafter set forth, which includes the Glen Canyon storage dam and the Bridge Canyon diversion dam, will—

- (1) Prevent the waters from going to Mexico.
- (2) Insure the use of those waters in our own country.
- (3) Afford complete protection against Colorado River floods.
- (4) Settle the silt without detriment to reservoir requirements.
- (5) Regulate the flow of the river for irrigation and power.
- (6) Irrigate 1,000,000 acres in the coast basin of California.
- (7) Reclaim 1,000,000 acres in Colorado River Basin in California.

- (8) Turn 3,000,000 acres of Arizona desert into fertile fields.
- (9) Develop more power at less cost than any other proposed plan.

(10) Furnish 1,000,000 acre-feet of clear, pure, desilted water to fully supply every future need of Los Angeles and all other southern California cities for water for domestic and municipal use, to be pumped 1,400 feet or transported by gravity, as they see fit, provided always, however, and only upon condition that under no circumstances shall any water be allotted or apportioned to California or reserved to California in excess of that to which rights have already vested in that State, unless a practicable plan is simultaneously adopted and its construction assured which furnishes an absolute guaranty that the waters shall be used in California and not in Mexico. California must not be allowed to be used as a stalking ox behind which to put through some subtle and deceptive scheme to secure water for Mexican lands.

All waters not used in California must be used in Arizona.

The above conditions, each and all of them, are completely provided for in the following specific, definite, and detailed constructive plan, which should be known as—

THE COLORADO RIVER AMERICAN HIGH-LINE SYSTEM

First. The Glen Canyon dam: The Federal Government of the United States of America must realize that the problem from a national point of view is one primarily of national security—of peace or war—rather than merely economic; and as a measure of national defense against future international competitive controversy and conflict, as well as against the destroying forces of nature, must build the Glen Canyon dam to create a storage reservoir in which the whole flow of the Colorado River, both flood and normal, shall be impounded and reassembled for use in the lower basin, after having served every beneficial use to which it can be put in the upper basin.

Second. The Bridge Canyon dam: In addition, for the same reasons, as a necessary adjunct to the Glen Canyon dam, and a part of the same ultimate complete system for storage and regulation and diversion and use in the United States of America of all the waters of the Colorado River, the Federal Government must first build the Bridge Canyon dam to a height of 566 feet, as recommended in United States Geological Survey Water Supply Paper 556, entitled "Water Power and Flood Control of Colorado River below Green River, Utah, by E. C. La Rue, with a foreword by Hubert Work, Secretary of the Interior," issued in 1925, which is known as the La Rue report. The recommendations referred to will be found on pages 45, 71, 72, and 77 of that report. See also Plates XLVIII and XLIX opposite page 72. The Bridge Canyon dam must subsequently be raised to a height of something over 800 feet to be used as a diversion dam.

Third. The Bridge Canyon power plant: To bring into immediate use the great water-power resource thus created and provide for an annual income from it while the other structures forming an essential part of the completed Colorado River American high-line plan are being built, the Federal Government should build a power plant at the Bridge Canyon dam, when built to a height of 566 feet, to develop the full capacity of that dam for the development of hydroelectric power from the flow of the Colorado River when regulated by the Glen Canyon storage reservoir.

The following estimate of that power capacity will be found on page 75 of the La Rue report, Water Supply Paper 556:

Power capacity: The static head at the Bridge Canyon site would be 566 feet. The power capacity with this head and the water supply given in the preceding paragraphs would be as follows: * * *

With storage in Glen Canyon and with irrigation and power development in upper basin as in 1922:

Continuous power available, 1,015,000 primary horsepower.

This power plant would be only 50 miles farther from Los Angeles than the proposed power plant at Black Canyon dam. It would be 50 miles nearer to all points for the proposed use of power in Arizona than a power plant at Black Canyon. The Bridge Canyon power plant would be only 10 miles farther from Jerome than the proposed Diamond Creek power plant. The power plant at Bridge Canyon would serve all the needs of Arizona, California, and Nevada better than any other location for a large power development anywhere on the Colorado River.

So far as a market for the power is concerned, the location at Bridge Canyon is preferable to the location at Black Canyon. The foregoing facts alone show the superiority of the Bridge Canyon site for a power plant over the Black Canyon site, and the temporary transmission of power 50 miles farther to Los Angeles for a few years is the only alternative advantage that can be pleaded in mitigation of the national crime of surrender.

ing 8,000,000 acre-feet annually of the regulated flow of the Colorado River to be used in Mexico to create ruinous competition for American agriculture and eventually involve us in a war with Asia.

That fact alone shows the national necessity for an insistent and inflexible public demand for the construction of the Bridge Canyon instead of the Black Canyon dam and power site.

An estimate has been made in the Interior Department, doubtless by the Reclamation Bureau, of the annual net income from a power plant at Black Canyon developing 1,000,000 horsepower. That estimate is \$6,000,000 annually, which is thought to be sufficient to repay in 25 years the entire cost of the construction of works costing \$125,000,000.

Let the dam be built at Bridge Canyon instead of at Black Canyon, and the transmission lines for the distribution of the power in both Arizona and California will be completed when the dam and power plant are completed at Bridge Canyon, and then this annual net income of \$6,100,000 will be immediately available.

Keep in mind the fact that this estimate of \$125,000,000 as an aggregate capital investment is an official Government estimate approved by Secretary of the Interior Hubert Work, as is also the estimate of an annual net income of \$6,100,000 which it is estimated will be "sufficient to repay the entire cost in 25 years."

It is further recommended by this same high and authoritative official source that the proposed capital investment shall be provided by an issue of bonds of the United States of America, because that plan for financing "will obviate disturbance of the regular fiscal operations of the Government," and "will obviate provision by the Budget for the money needed during construction."

Accept this suggestion and apply it to the Glen Canyon-Bridge Canyon system, and then analyze the proposition, and see what additional burden would be imposed on the American people as the cost of saving for the use of their own country 8,000,000 acre-feet annually of the waters of the Colorado River for the irrigation of 1,000,000 acres in the coast basin of California, and the reclamation of 3,000,000 acres in Arizona that must be abandoned to the desert forever if the waters go to Mexico, as they inevitably will if the Black Canyon dam is built.

In the estimate of the reclamation bureau above referred to, of the cost of the Black Canyon dam, the figures are misleading. The estimate is for a 550-foot dam, and it is stated that the 550-foot dam will create a total storage capacity of 26,000,000 acre-feet; but, as was explained by Engineer Weymouth when before the Senate Committee on Irrigation and Reclamation, of that 26,000,000 storage capacity behind the Black Canyon dam, only 15,500,000 is available storage, or, as he defined it, "control storage." The remaining 10,500,000 acre-feet is dead storage, unavailable for any purpose except to raise the level of the water so it will run over the dam at the fixed level to which the reservoir can be drawn down during the year for power development.

Consequently the Black Canyon dam only provides 15,500,000 acre-feet of available storage. If the remaining 10,500,000 were completely filled with silt the reservoir would be of just as much real service for water storage.

Consequently the above estimate, when it refers to the cost of a "26,000,000 acre-foot reservoir" at Black Canyon by building a 550-foot dam, should contain the explanation that the actually available storage is only 15,500,000 acre-feet.

There will be no difference in the cost of the dam and power plant at Bridge Canyon in place of that at Black Canyon, except that the Bridge Canyon site is the best site, and the cost would no doubt be less at Bridge Canyon than at Black Canyon for a dam of the same height.

A reservoir at Glen Canyon providing actual and available "control storage" for the full 26,000,000 acre-feet would cost not over \$40,000,000. A storage dam at Glen Canyon providing 40,000,000 acre-feet has been estimated by engineers of unquestionable ability to cost \$50,000,000.

Take the estimate of \$40,000,000 for a "26,000,000 acre-foot reservoir," which will really create that capacity of available storage, and add it to the estimate of \$125,000,000, and we have the result hereinafter stated.

The following estimate for Black Canyon is quoted from the report of the Reclamation Bureau, referred to above:

Capital investment

Estimated cost for—	
26,000,000 acre-foot reservoir	\$41,500,000
1,000,000-horsepower power development	31,500,000
The all-American canal	31,000,000
Interest during construction on above five years, at 4 per cent	21,000,000
Total	125,000,000

Now add construction costs at Glen Canyon—	
Glen Canyon, 26,000,000 actual available storage	\$40,000,000
Interest during construction, five years at 4 per cent	10,000,000
Total cost with Glen Canyon storage reservoir and Bridge Canyon diversion dam to a height of 566 feet, and power plant at that dam	\$50,000,000

The estimated net annual income of \$6,100,000 will pay 4 per cent interest on \$175,000,000—the total cost of the Glen Canyon-Bridge Canyon system.

Therefore, when the two plans are compared, the only advantage to the Federal Government of the Black Canyon plan over the Bridge Canyon plan would be that the costs under the Black Canyon scheme could be amortized in 25 years, by the application of \$1,000,000 a year to that purpose which, under the Glen Canyon-Bridge Canyon plan would be absorbed by current interests on the added \$50,000,000 of costs of construction.

Better than either of these two plans would be the adoption of a plan similar to the Smith-Fletcher plan for financing the construction of the complete Colorado River American high-line system, as hereinafter fully explained.

The added cost for the Glen Canyon dam would be avoided if the Glen Canyon dam were substituted for the all-American canal in the Reclamation Bureau estimate. Undoubtedly a dam can be built at Glen Canyon that would provide more "control storage" than the proposed 550-foot dam at Black Canyon for \$31,000,000—the estimated cost of the all-American canal in the above Reclamation Bureau estimate.

If the all-American canal were separately financed, so that it would "stand on its own bottom" financially and the \$31,000,000 were spent to build the Glen Canyon dam to a temporary height, providing not less "control storage" than the Black Canyon dam, then the estimate would stand as follows:

Glen Canyon reservoir for storage	\$31,000,000
Bridge Canyon dam to height of 566 feet	41,500,000
1,000,000-horsepower development	31,500,000
Interest during construction on above, 5 years, at 4 per cent	21,000,000
Total	125,000,000

Mr. NEELY. Mr. President, will the Senator yield?
The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from West Virginia?

Mr. CAMERON. I yield for a question.
Mr. NEELY. I hope the Senator will not consider it any very great asperity on my part if I ask what time he expects to conclude his address.

Mr. CAMERON. It will take me at least two hours and a half longer.

Mr. NEELY. If the Senator will further yield I think I should say that I owe it to the distinguished senior Senator from California [Mr. JOHNSON] to notify him now that I will have to break the promise which I recently made to him to vote for the bill. I understood the dam which is contemplated was for the purpose of generating power. I think the power ought to be generated down in that section of the country by wind instead of by water, so I am going to withdraw my promise.

Mr. CAMERON. Under this plan the "estimated annual surplus, \$6,000,000" could all be applied as contemplated in the Reclamation Bureau estimate and would "be sufficient to repay the entire cost in 25 years."

It is infinitely absurd and utterly inexplicable, in the face of these facts, that the Congress of the United States should be asked to build the Black Canyon project instead of the Glen Canyon-Bridge Canyon project, when in addition to all the beneficial results that would accrue from the building of the Black Canyon dam, the Glen Canyon-Bridge Canyon project will—

1. Regulate and standardize the flow of the river through the canyon, and thereby create 2,000,000 potential horsepower, worth over \$2,000,000,000, which would continue to be wasted if the floods were not stored and the flow of the river regulated until it reached the Black Canyon-Boulder reservoir at the lower end of the canyon.

2. Provide an available storage capacity, actual "control storage" of more than twice the "control storage" capacity of the Boulder reservoir with the Black Canyon dam, for a less proportional "capital investment," thus making possible the storage of the full flood flow of the river in the years when that flow aggregates as much as 25,000,000 acre-feet. Of course 25,000,000 acre-feet could not be stored and carried over for use in future years in a reservoir like the Black Canyon-Boulder Canyon reservoir which provides only 15,500,000 acre-feet of available "control storage."

3. Create a diversion dam 566 feet high, which would only need to be raised an additional 259 feet to divert the water from

the river at an elevation from which it can be taken to Los Angeles or any part of the coast basin of southern California by gravity and led by gravity over 3,000,000 acres in Arizona, thus making possible the use of all the waters of the Colorado River in the United States of America.

The practicability of thus raising the Bridge Canyon dam "as a point of diversion for a gravity water supply for irrigation in Arizona, or for domestic use in the cities of southern California," is pointed out in the La Rue report, United States Geological Survey Water Supply Paper No. 556. The above quotation is from page 71 of that report, and the subject is further elucidated on page 77, where it is stated that the value of the power which could be generated at the dam "would more than offset the cost of the diversion dam," and that this use of the Bridge Canyon dam as a diversion dam would "preclude the utilization of the Diamond Creek site."

The foregoing plan for building the Bridge Canyon dam to a height of 566 feet and afterwards raising it to 825 feet facilitates comparison between the Boulder Canyon-Black Canyon project and the Glen Canyon-Bridge Canyon project; but a still better plan for construction would be to build also the Parker dam for immediate power for Los Angeles and complete the Bridge Canyon dam to its full height as soon as possible.

THE AMERICAN COLORADO RIVER HIGH-LINE SYSTEM SHOULD BE FINANCED BY POWER DEVELOPMENT UNDER THE SMITH-FLETCHER REVOLVING BOND ISSUE PLAN

The Salt River Valley-Roosevelt Reservoir system is a success because of the value of its power development, and the fact that the value of that power has been used to help to finance the reclamation project.

The Salt River Valley system would be a financial wreck today if it had been forced to put the entire burden of the construction of the reclamation system on the irrigated lands, and the power had been given to the city of Los Angeles, or to some other city, or to the Power Trust, as is now sought to be done in the development of the power and reclamation resources of the Colorado River in the lower basin of the river.

That wrong system of development has been adopted as the basis of every exaggerated estimate of the cost of the works constituting the American high-line system, particularly the Arizona high-line canal. The most atrocious instance of this was the estimate of Army engineer water-power agencies, which put the cost of reclaiming 3,500,000 acres in Arizona at a total of \$1,774,500,000, an average acreage cost of \$535.71.

Nowhere, either in that estimate or anywhere else, has anyone connected with the Army engineers or the water-power interests of the Federal Power Commission intimated any connection between construction costs for power and reclamation on the Colorado River. Yet that power is known to have a value of \$2,400,000,000 and by far the larger part of it is just as much an asset of the State of Arizona as was the power that is now being and has in the past been developed in the Salt River Valley-Roosevelt Reservoir system, which is now being used to help finance that reclamation system.

The Army engineer estimate above referred to places the construction costs at \$175,000,000 for the "canal and lateral system below Vicksburg, 3,500,000 acres," \$50 an acre. The plan urged in this brief includes even the main-line canals below Vicksburg in the construction units to be financed by the power, leaving reclamation to bear only the cost of the local distribution systems. However, accepting the Army engineer estimate, the plan herein proposed reduces the cost of reclamation to \$50 an acre, instead of \$535.71 per acre. The plan provides for the full development of both power and reclamation, and insures the reclamation of 3,500,000 acres which would otherwise remain a desert forever in the United States of America, while Mexico would get the water and use it to develop Asiatic competition for American agriculture.

The apparent determination of the Army engineer, Federal Power Commission, United States Reclamation Bureau, from the Fall-Davis report to date, to prevent the use of the waters in the United States of America with the inevitable alternative that they will be used in Mexico, is a mystery that needs explanation. Pending that explanation there should be a suspension of the efforts to bamboozle, bluff, bully, or browbeat Arizona into surrendering the water by ratifying the Colorado River compact or abandoning the fight for the Glen Canyon and Bridge Canyon dams and the Arizona high-line canal.

The principle that power shall finance reclamation must be extended to the Colorado River development problem, and applied to the construction of all the works necessary for the fullest and most complete utilization of the resources of that river for both reclamation and power in Arizona, California, and Nevada.

From the La Rue Report, United States Geological Survey Water Supply Paper 556, the following is quoted:

The power value of Colorado River between Green River, Utah, and Parker, Ariz., may be summarized as follows:

"With the water supply as determined in 1922, and with the storage at the site near Lees Ferry (Glen Canyon), the total continuous power available would be about 4,345,000 horsepower. If the plants operated under a load factor of 60 per cent, the total installed plant capacity would be 7,242,000 horsepower."

Four million horsepower is doubtless available for development between the north line of Arizona, or Glen Canyon, and Yuma, Ariz.

The speech of Senator Charles H. Rutherford, in opposition to the Colorado River compact, delivered in the Arizona State Senate on February 20, 1925, contains a mine of valuable information on the subject of the value of Colorado River power and its development.

The following is quoted from that speech:

For, if the present United States average net income available for dividends upon each horsepower per year, of \$36, be taken as a factor, the total ultimate income from the power available on the Colorado River within Arizona will reach the stupendous sum of \$144,000,000 per annum, which sum, if capitalized on the basis of 6 per cent per annum, will show a total capitalization of \$2,400,000,000 carried by the river.

Of course this requires that there shall be a market for the power, but there can be no possible question or doubt that, as has happened in California, there will be a market for all that Colorado River power just as fast as the necessary works can be built to make it available for use, and at a price that would net the annual income and carry the capitalization above set forth.

The plan hereinafter proposed and advocated for the building of the Colorado River American highline system contemplates the construction of the entire system in units which shall be built separately and consecutively, one after the other, as fast as, but no faster than the market for the power will be developed, and provide an annual net income that will carry, and amortize in not over 50 years a bond issue on each unit large enough to cover all costs of construction, and interest during the period of construction.

The Glen Canyon dam will regulate and standardize the flow of the river within a brief time so that the Parker power dam could be built and at least temporarily used to furnish an immediate additional supply of power to Los Angeles. That city has filed an application with the Federal power commission for a permit to build the Parker dam for power, wherein the estimate of power that can be developed is fixed at 100,000 horsepower. On page 85 of Water Supply Paper 556, La Rue estimates the power possibility of this site at 70,000 horsepower. The water would be afterwards used on the Yuma project and in the Imperial and Palo Verde Valleys and other low lands in the river valleys below Parker.

This Parker power plant, so far as power is concerned, would be a temporary expedient, to meet the needs of Los Angeles pending the completion of the Bridge Canyon power plant. The value of the power at the Parker power plant would justify the construction of the plant under some plan of cooperation between the Federal Government and Los Angeles and Arizona. Preferably the Parker dam and power plant should be built by the Federal Government as a part of the first unit to be constructed of the Colorado River American high-line system, as hereinafter specified.

The proposed Los Angeles City Aqueduct, to furnish Los Angeles with 1,500 second-feet of water, or approximately 1,000,000 acre-feet annually, for a municipal and domestic water supply, would be just as well served by the Glen Canyon-Bridge Canyon system as by either the Boulder or the Black Canyon dam. It could be undertaken at any time after the construction of the Glen Canyon dam was assured to create a storage reservoir to regulate the river's flow, provided the Bridge Canyon power plant was assured as a source for the necessary power for pumping the water from the proposed point of diversion above Blythe to an elevation at Shavers Summit requiring a pump lift of 1,600 feet, as proposed by Engineer Mulholland.

If this plan for pumping 1,400 feet to Shavers Summit were adopted, it would require the continuous use of more than 200,000 horsepower, which could be furnished from the Bridge Canyon power plant. This 200,000 horsepower could be saved for use for other purposes if the gravity system instead of the pumping system were adopted. The value of the power that would thus be saved is estimated by La Rue at \$100,000,000. Irrespective of that saving, and without taking the value or

cost of the power into consideration, La Rue estimates the cost of the gravity system at \$164,000,000 and Mulholland estimates the cost of the pumping system at about \$150,000,000. Those two estimates are so close to each other that it may be roughly estimated that the advantage of the gravity system over the pumping system is the value of 200,000 horsepower, whatever that may be regarded as worth. At \$50 per horsepower, 200,000 horsepower would be worth \$100,000,000. It is claimed that any power project in California can be financed on the basis of a value of \$200 per horsepower, and whatever the value is today, it will be far more in the future.

It must be borne in mind, however, that the water can never be taken to Los Angeles by gravity if the Black Canyon or Boulder Canyon dam is built. The base of the Boulder Canyon dam at stream level would be 706 feet above sea level and the base of the Black Canyon dam is about 60 feet lower than that. The level of the bed of the river at Bridge Canyon is 1,207—500 feet higher than at Boulder Canyon. It is high enough so that if the water were diverted on the 2,000-foot level it could be taken to Los Angeles or to any other point between the base of the mountains and the sea in southern California.

The penalty Los Angeles would pay if they were able to force the construction of the Black Canyon dam instead of the Bridge Canyon dam, and thereby donate to Mexico 8,000,000 acre-feet of water that should be used in Arizona and southern California, would be that they would have perpetually and forever to pump water 1,400 feet that could be taken to their city by gravity from the Bridge Canyon dam. To pump the water they would have to use over 200,000 horsepower which otherwise would be available for municipal and industrial uses for which it will be desperately needed in the near future in either California or Arizona.

The clarification of the water is most important for domestic use. If the water for the aqueduct were desilted at Black Canyon and then picked up silt and alkali all the way from there to the intake near Blythe, it would be unfit for domestic use when it reached the intake of the aqueduct unless filtered. On the other hand, if desilted at Glen Canyon, and again at Bridge Canyon, and still again at the Parker dam, the silt content would be negligible when it was diverted into the aqueduct. If the aqueduct started from Bridge Canyon dam, the water having first been desilted at the Glen Canyon reservoir, and then again at Bridge Canyon, when it entered the aqueduct it would be crystal clear, pure, potable water for domestic use.

It would be entirely optional with the city of Los Angeles whether they would use the Parker power plant during the construction of the Glen Canyon and Bridge Canyon dams and the Bridge Canyon power plant. If they did so, there would be no need for installing the power plant at Bridge Canyon until the final completion of the dam to its ultimate height for use as a diversion dam for California and Arizona. If Los Angeles should decide not to use the Parker power plant, the power plant at Bridge Canyon could be installed when the dam had reached a height adequate for the development of power and so built that it could be adapted to the higher static head after the full completion of the dam to its full ultimate height.

The fact must not be overlooked that under the American high-line plan, as proposed in this brief, the Glen Canyon dam and the Bridge Canyon dam can both be built simultaneously as quickly as the Black Canyon dam alone can be built, if the Bridge Canyon dam were to be built only to the same height as that proposed for the Black Canyon dam; but to build the Bridge Canyon dam to its full ultimate height of perhaps something over 800 feet would require additional time. However, the foundation conditions at Bridge Canyon are believed to be better than at Black Canyon. At Bridge Canyon both foundation and side walls of the canyon are granite.

No estimates of cost of the Parker dam and power plant are available except those made by the Arizona engineering commission, of which La Rue was a member. That report estimates the cost of the dam at \$4,700,000, and of the power plant at \$3,604,000, and the power to be developed at 82,000 horsepower, assuming a regulated flow over the dam of 10,000 second-feet.

It will thus be seen that the cost of the whole Parker dam and power plant and transmission lines to Los Angeles would be easily within the reach of municipal construction; but, if so built, it would have to be under careful restrictions and conditions which would make certain that no rights under it should ever be allowed to interfere with the ultimate adoption and construction of the best possible system for the use of the entire reclamation, irrigation, and power resources of the river under the American high-line system when completed.

A dam at Parker is suggested at a part of the La Rue plan, set forth in Water Supply Paper 556, for the utilization of the resources of the river to best advantage. If built, it would always serve a useful purpose, justifying its construction as a part of the greater system ultimately to be completed. With the Bridge Canyon dam built and in use as a diversion dam, the river would be entirely diverted at that point; but there would always be more or less water coming into the river between the Bridge Canyon and Parker dams—some years considerable, other years comparatively little. The Grand Wash and Virgin River and Williams River enter the main river in that section of its course. In years of plentiful supply this water could be stored and diverted at Parker. In the dry years the supply would have to be supplemented with water from the high-line canal drawn from the Glen Canyon Reservoir. This supplemental supply would produce power in the drop from the high-line canal, and being then used to standardize the flow at the Parker dam the power plant at that point would always have a value, and would never be abandoned.

Whenever the Glen Canyon dam has been built for storage, and Bridge Canyon dam for diversion, and the Arizona high-line transmission canal has been completed from Bridge Canyon to The Needles Pinnacles, then the only dams that will ever be built or that could serve any useful purpose below Bridge Canyon will be the Parker dam and the Mohave dam. The Mohave dam would be built for flood control to safeguard against any failure of any of the dams ultimately built between Glen Canyon and Bridge Canyon, and for storage to hold back until beneficially used any waters coming from floods below Glen Canyon. The Bridge Canyon dam would have no value whatever as a storage dam. It would be used only as a diversion dam, and would also completely desilt the river at that point without any diminution of reservoir storage for either irrigation or power. The Mohave dam should be built whenever the Colorado River siphon is built as a unit of the California high-line transmission canal, and should be included in the third construction unit of the American high-line system.

The Parker dam should be included in the first construction unit, and should be pushed to completion as rapidly as possible, for several reasons:

First. It will provide Los Angeles with a supply of power adequate for all immediate needs pending the completion of the Bridge Canyon dam to its full height as a diversion dam.

Second. It will provide water by gravity for the reclamation of 124,000 acres in Arizona and 140,000 acres in California, and would in that way meet the desire for some immediate development on the Colorado River.

The lands irrigable from the Parker dam by gravity in Arizona are located as follows: Parker Mesa, 4,000 acres; Colorado River Indian Reservation, 104,000 acres; Cibola Valley, 16,000 acres; total, 124,000 acres. The lands in California are located as follows: Between the Parker diversion dam and the Blythe intake, 50,000 acres; Palo Verde Valley, 79,000 acres; Palo Verde Mesa, 20,000 acres; total, 149,000 acres.

The reclamation by pumping of any lands in either California or Arizona from the Parker dam as a source of supply should not be considered. In Arizona every available drop of water is needed for lands that can be irrigated by gravity from the Arizona high-line canal with much better economic results, and in California the water should be used in the coast basin rather than to reclaim more desert land in the Colorado River Basin.

Whenever the resources of the Colorado River for both power and irrigation have been studied from the standpoint of the best interests of southern California, in the light of the constructive plan proposed in this brief, then it will follow "as the night the day" that—

Southern California will insist, with a demand that will be irresistible, on the California high-line transmission canal and the Colorado River siphon from The Needles Pinnacles to Indio, and thence to near Cabazon, where a tunnel only 13 miles long will bring the water into the San Jacinto Valley at an elevation of 1,500 feet above sea level.

One reason for this is that the value of the additional power developed over what can be developed at the Black Canyon dam will cover the entire cost of the construction of the additional works necessary for the transmission of the water from Bridge Canyon to the Indio power plant, and from there through the San Jacinto tunnel to the power plants in the coast basin of southern California.

That statement, startling though it may seem, is proved by the following facts:

With the entire regulated flow of the Colorado River falling over the dam, and more than half of it necessarily going from there to Mexico, never less than 8,000,000 feet being thus assured to Mexican lands, the total power development at the Boulder Canyon or Black Canyon dams would not exceed 550,000 primary horsepower, providing an installed capacity, with a load factor of 55 per cent, of 1,000,000 horsepower. The estimates that follow are all of primary horsepower, and must be compared with the 550,000 primary horsepower at Black Canyon.

The comparatively small total of horsepower development at Black Canyon is due to the mistaken policy of trying to use the same dam for flood control, storage, irrigation, and power. The head is a variable one because of the variation in the level of the surface of the reservoir as water is drawn from it. The static head must always be less than the total height of the dam, because the drop for power is established by the abandonment of the 10,500,000 acre-feet out of 26,000,000 acre-feet to dead storage, leaving only 15,500,000 acre-feet of control storage.

With these facts in mind, make the comparison:

The development at Black Canyon is 550,000 horsepower, with all of the regulated flow of the river passing over the dam and used for power development.

At Bridge Canyon, with all the water flowing over the dam, the static head would be 785 feet and the power development would be 1,280,000 horsepower, more than twice the development at Black Canyon, only 50 miles farther from Los Angeles, and 50 miles nearer to all points of use in Arizona.

Now, to make the comparison, assume for that purpose only that the regulated flow of the river at Bridge Canyon is equally divided between California and Arizona, and California's half of the water is taken across through the Arizona-California high-line transmission from Bridge Canyon to The Needles Pinnacles, about 12 miles below Topock, where the Santa Fe Railroad crosses the Colorado River.

The drop constituting the static head at that point from the forks of the canal to the bed of the river would be 1,400 feet, and the power development, with only half the water, would be nearly twice the total development at Black Canyon.

But to drop the water there is by no means the best plan for California. The total flow of the river at Bridge Canyon would be 22,000 second-feet. If half that is apportioned to California a transmission canal of practically the same size as the Chicago Drainage Canal, with a siphon under the Colorado River with no greater pressure than the siphon under the Hudson River, that brings water to the city of New York, will land that water at a point 1,600 feet or more above Indio, where the drop or static head will be twice that at Bridge Canyon.

Let half the 11,000 second-feet that has been brought to this point from Bridge Canyon be dropped at Indio, and 5,500 second-feet, falling 1,600 second-feet, will develop 704,000 horsepower. The formula for calculating power development will be found on page 39 of the La Rue report, Water Supply Paper 556.

That 704,000 horsepower within 100 miles of Los Angeles, estimating its value at the low rate of \$36 per horsepower net annual income, will produce a total net annual income of \$25,544,000. That is the amount which any private power company owning the developed power would pay out as dividends on its stock after paying all costs of operation, and they would capitalize the asset on a 6 per cent basis at \$422,400,000.

The Sturtevant estimate of the cost of the Arizona-California high-line transmission canal from Bridge Canyon to The Needles Pinnacles is \$137,000,000. Charge half of that to California, \$68,500,000, and deduct it from \$422,400,000, and it leaves a balance of \$353,900,000 available, covered by the capital value of the power alone, to finance the cost of the construction from the Needles Pinnacles to Indio.

The remaining 5,500 second-feet, about 4,000,000 acre-feet, if taken through the San Jacinto Tunnel, would develop 550,000 horsepower at various drops in its fall from the outlet of the San Jacinto Tunnel, 1,500 feet above sea level, to the point of final use on the land for irrigation. Under this plan the same amount of power would be developed in the coast basin of southern California, as the Black Canyon scheme will develop, and 250 miles nearer to Los Angeles.

The total power development under this plan—700,000 at Indio and 550,000 in the coast basin—gives a total power development for southern California of 1,250,000 horsepower, delivers 4,000,000 acre-feet of water for the irrigation of the Imperial Valley at Indio, and carries 4,000,000 acre-feet through the San Jacinto Tunnel for power and irrigation in the coast basin, where it will irrigate 2,000,000 acres of land.

The water duty in the coast basin is less than half what it is in the Colorado River Basin. In the latter basin it is 4 acre-

feet a year; in the coast basin, 1.75 acre-feet a year. Therefore, to the fullest possible extent that the water can be used in the coast basin instead of on new lands in the Colorado River Basin, it should be used in the coast basin.

But this almost inconceivably huge benefit to California from building the California transmission canal from Bridge Canyon to Indio, and thence through the San Jacinto Tunnel to the coast basin of southern California, is not all the benefit that would accrue from it.

Suppose California should divide the water with Arizona at Bridge Canyon, and let California's half fall over the dam and go down the river to the Laguna Dam, to be taken out there for the irrigation of the Imperial Valley: California would then get 640,000 horsepower at Bridge Canyon, half of a possible total of 1,280,000 that would be developed if all the river flowed over the dam.

The total use of water for irrigation in the Colorado River Basin should not exceed 4,000,000 acre-feet. If the Los Angeles aqueduct were built, it would take another 1,000,000 acre-feet, making 5,000,000 in all from 16,000,000 acre-feet measured at Laguna Dam. The rest of the water would go to Mexico forever. California would lose 3,000,000 acre-feet a year of water to Mexico which could be used in California if the transmission canal were built from Bridge Canyon to Indio.

That is not all. There would be a loss of water from California's half of 1,000,000 acre-feet annually between Bridge Canyon and the Laguna Dam, which would be saved by taking the water across from Bridge Canyon to Indio in a cemented and covered canal. What would that water be worth in southern California? It would irrigate 500,000 new acres, worth with that water \$500 an acre to-day. It would be worth \$1,000 an acre within 20 years.

Under present conditions, the river measures about the same at Glen Canyon and at the Laguna Dam. It picks up about a million acre-feet between Glen Canyon and Bridge Canyon, and loses it between Bridge Canyon and the Laguna Dam. If standardized by the Glen Canyon reservoir, and the flow at Bridge Canyon fixed at 22,000 acre-feet, the loss from letting half the water run down the channel of the river instead of taking it across to Indio, would be 1,000,000 acre-feet a year. A much greater proportion of the water flowing from Bridge Canyon to Laguna Dam would be lost if the flow is regulated—and all through the hot season of the year the water is flowing slowly through a shallow crooked channel and winding about over mud flats—than is lost now when the larger proportion of it rushes down in great floods as is the case at present.

The saving of water represented by this 1,000,000 acre-feet saved by the California Transmission Canal from The Needles Pinnacles to Indio, worth to-day \$250,000,000 in the coast basin, and having a potential value of \$500,000,000 within 20 years, is an added financial basis for building the canal from Bridge Canyon to Indio, and thence through the tunnel to the San Jacinto Valley.

If a steady all-the-year round flow of 5,500 second-feet, an annual supply of 4,000,000 acre-feet, enough to abundantly irrigate 2,000,000 new acres in southern California between San Diego and Ventura, making the land with the water worth \$500 an acre to-day and creating an aggregate value for both of \$1,000,000,000, were turned into the San Jacinto Valley tomorrow by some convulsion of nature from the Colorado River it would instantly increase values in the coast basin of southern California more than \$2,000,000,000. The mere fact that it was available would do that, and the financing of the cost and the construction work necessary to distribute the water for beneficial use on the land and to develop 550,000 horsepower would follow as a matter of course.

No effort will be made in this speech to enter into a consideration of that field of values as a basis for the construction of the great works necessary to bring that water to the San Jacinto Valley for the coast basin. The power alone is sufficient basis for the cost of construction, under the plan for financing it hereinafter proposed. The agricultural values can be left to bear the cost of distributing the water for irrigation. Those values are ample, and more than ample for that purpose, both in Arizona and California.

The plan contemplates the consecutive construction of the three units of construction, but there is not the slightest reason why all three should not be simultaneously constructed, if Southern California could be weaned away from the support of the conspiracy to surrender the waters to Mexico, after giving California 550,000 horsepower from the Black Canyon dam, and 4,000,000 acre-feet for the irrigation of the Imperial, Coachella, and Palo Verde Valleys, and 1,000,000 acre-feet for Los Angeles and to destroy Arizona by reducing her acreage to be irrigated from the Colorado River from 3,280,000 acres to

280,000 acres, and to send 8,000,000 acre-feet annually to Mexico to be used to develop a competitive Asiatic city and colony, and breed an Asiatic war.

Let California accept, heartily, sincerely, and earnestly the all-gravity American Glen-Bridge high-line plan, instead of the Black-Boulder low-line Asiatic-Mexican plan, and the whole American high-line all-gravity system could be completed in 10 years. The Glen Canyon dam, affording complete flood protection can be finished in six years, according to the La Rue report, and afford complete flood protection sooner than it can possibly be provided by the building of the Bridge Canyon dam.

NATIONAL WEALTH CREATED BY THE ALL-GRAVITY AMERICAN COLORADO RIVER CONSTRUCTIVE PLAN IN THE UNITED STATES OF AMERICA

Let the people of our own country once understand the value of the waters of the Colorado River as a national asset of the United States of America, and that moment the Black Canyon-Boulder Canyon project, with its subtly concealed purpose to surrender 8,000,000 acre-feet of water annually to Mexico perpetually, will be dead beyond hope of resurrection.

No matter what new bill may be introduced, no matter what new scheme may be proposed, no matter what bait or bribe may be offered to Arizona in the form of a royalty on power developed in Arizona for use elsewhere, the acid test that will be applied to that new bill or new scheme, from the point of view of the Nation and by the Congress of the United States, will be:

Will it give that 8,000,000 acre-feet annually to Mexico to reclaim and irrigate 2,000,000 acres in the Imperial Valley of Mexico and on the great Citrus Mesa in Sonora, Mexico?

If it does, no matter how carefully the wolf may have been concealed in sheep's clothing, the people of the Nation will repudiate the scheme, and Congress will reject any proposed bill that would bring the scheme to fruition.

The people of the United States of America and the Congress of the United States must know the facts demonstrating the value of this great national asset of the Nation which now lies latent in the flood waters of the Colorado River.

The first fact necessary to be known is the available annual water supply that will be provided for the lower basin, after the floods of the Colorado River have been completely reservoirized in the United States of America, and the flow of the river thereby regulated and standardized, so that it will flow substantially the same volume of water evenly through the year—in all years.

1. THE AVAILABLE WATER SUPPLY FOR USE IN THE LOWER BASIN

The most satisfactory table establishing the water supply that will be made available for the lower basin of the Colorado River by the building of the Glen Canyon storage reservoir and Bridge Canyon diversion dam is to be found on page 37 of the Fall-Davis report, Senate Document, No. 142, Sixty-seventh Congress, second session.

That table establishes the discharge of the Colorado River at Yuma, averaged from 1902 to 1920, at a total annual regulated flow of 17,550,000 acre-feet. This includes the 150,000 acre-feet diverted above Yuma at the Laguna Dam for the Yuma project, and includes also the now wasted average discharge of the Gila River, estimated at 1,080,000 acre-feet.

That estimate of 17,550,000 acre-feet is an established and dependable estimate, which may be taken as a fixed fact in dealing with the problem of the use that is to be made of that water. One "acre-foot" is water enough to cover an acre 1 foot deep.

Attention is called to the fact, on page 37 of that Fall-Davis report, that the lands on which the waters which were stored at Boulder Canyon would be used are so situated that there would be little return seepage from those lands. The lands referred to are the 280,000 acres in Arizona and 940,000 acres in California, which are elsewhere in that report, shown to be irrigable from the Black Canyon-Boulder Canyon project.

That is one of the most important advantages of the Glen Canyon-Bridge Canyon-Arizona high-line project over the Black Canyon-Boulder Canyon project. The Glen Canyon-Bridge Canyon-Arizona high-line project provides for the irrigation of high mesa lands sloping always to the river.

First. All the lands irrigated from the Arizona high-line canal, from the intake of the canal at the Bridge Canyon dam to Lone Mountain Pass, would drain into the Colorado River between Bridge Canyon and the Laguna Dam.

Second. From Lone Mountain Pass to the end of the canal, where it would tail into the Waterman wash, after encircling the Salt River Valley and Casa Grand Valley, the return seepage would be into the Gila River above the Gillespie dam.

Third. That return seepage would be redistributed through canals heading at the Gillespie dam for use on lands adjacent to and draining into the Gila River between the Gillespie dam and the mouth of the river.

Fourth. The return seepage coming into the river below the Gillespie dam and flowing down the Gila River to its mouth, with a low pump lift, could be used to supply lands under the Yuma project for which water is to be pumped, or for the Imperial Valley, or it could be used by gravity to irrigate the 200,000 acres in Mexico heretofore irrigated.

The return seepage from the original diversion at Bridge Canyon would increase the total volume of water available for use in Arizona and in the Imperial Valley of California not less than 4,000,000 acre-feet.

The total water supply for the entire system would thus be increased 4,000,000 acre-feet as time passed and the underground reservoirs became filled and the water table raised. The proportion of return seepage would steadily increase until it exceeded 4,000,000 acre-feet annually.

Another increase of 1,000,000 or more acre-feet in the total available water supply would result from diverting the water from the river at Bridge Canyon and distributing it in a cemented canal system instead of having it run down the long, shallow, tortuous channel from Bridge Canyon to Yuma.

The flow of the river is increased over 1,000,000 acre-feet between Glen Canyon and Boulder Canyon, but it now loses that increase by evaporation between Boulder Canyon and Yuma. That saving would add another million acre-feet to the total supply available for the lower basin.

The total supply available for the lower basin would thus be—

	Acre-feet
1. Discharge at Yuma, including 150,000 acre-feet diverted above for Yuma project and also including the 1,080,000 acre-feet coming from the Gila River.....	17,550,000
2. Return seepage from waters originally diverted into the Arizona high-line canal at Bridge Canyon Canal.....	4,000,000
3. Saving of evaporation losses between Bridge Canyon and Yuma.....	1,000,000
Total.....	22,550,000

The question of subsequent depletion of this total available quantity for irrigation in the lower basin is an intricate and complicated question, and has never been sufficiently studied to make it possible to reach an entirely satisfactory conclusion.

This thorough study is one of the things most necessary to be done before any plan is irrevocably adopted for the development of the Colorado River.

There are those who have studied the question for many years, and are qualified to form an expert opinion on the subject, who are satisfied that future irrigation in the upper basin will never appreciably deplete the flow of the river at the north line of Arizona, or at the Glen Canyon dam.

There are those who have made the most careful estimates and studies based on thorough investigation of the known facts who believe that the upper basin can never use more than half of the 7,500,000 acre-feet reserved for the upper basin in the Colorado River compact and that the only effect of that reservation would be to increase the quantity that would go to Mexico if the compact were ratified.

The Fall-Davis report, Senate Document No. 142, above referred to, gives the following estimate of future depletion from use in the upper basin and from reservoir evaporation, on page 37:

	Acre-feet
Future depletion from development in upper basin.....	4,230,000
Future depletion from evaporation from reservoirs in canyon section.....	2,070,000
Total future depletion.....	6,300,000
As heretofore shown, the total available supply, including return seepage, for the lower basin amounts to.....	22,550,000
Deduct from this the total estimated depletion.....	6,300,000
And it leaves the total available for use.....	16,250,000

2. THE AREAS THAT CAN BE IRRIGATED IN THE LOWER BASIN

The 16,250,000 acre-feet that will ultimately be available for use in the lower basin include 4,000,000 acre-feet from return seepage into the natural channels, which can again be diverted and used for irrigation.

It takes several years for this return seepage to develop. Until that happens the available quantity is limited to the original flow of the stream, but the return seepage is a steadily enlarging reflow into the river, increasing each year for a long period of time.

If the 4,000,000 acre-feet of return seepage be deducted from the 16,250,000 acre-feet estimated to be the ultimate quantity available, it leaves 12,250,000 acre-feet available from the moment the construction of the irrigation works is completed.

BUT THAT IS NOT ALL THE WATER THAT WILL BE AVAILABLE

The 4,320,000 acre-feet estimated in the Fall-Davis report as the eventual depletion in the upper basin will continue to come to the lower basin for many years to come. It will flow down

the river to the Glen Canyon reservoir until it has been actually consumptively used in the upper basin.

The process of depletion will be slow, extending over many years before the water will all be used in the upper basin. The period that will elapse before that consumptive use has been fully accomplished has been variously estimated at from 25 to 150 years.

In the meantime, until the water has been so used in the upper basin, it will continue to flow down to the lower basin, and the total quantity available in the lower basin to start with when the irrigation works are first built and irrigation begun will be as follows:

	Acres-foot
Available quantity without return seepage.....	12,250,000
Amount reserved for upper basin depletion.....	4,230,000
Total quantity available for lower basin.....	16,480,000

Were it not offset by return seepage, that annual supply might slowly decrease from year to year as the depletion resulting from the irrigation of larger areas in the upper basin increased from year to year.

But this fact must never be overlooked: Any depletion in the lower basin of the supply available for that basin resulting from a larger use in the upper basin would be more than offset each year by the steadily increasing reflow due to return seepage from lands irrigated under the Arizona high-line canal.

Consequently the total quantity available for the lower basin would never be less than the quantity available when the water was first turned out of the river into the canals.

The importance of that fact can not be realized unless thought is given to it, so that the mind will fully grasp the fundamental fact that before the depletion by a larger use in the upper basin has been felt in the lower basin, it will be more than compensated for by the increased return seepage in the lower basin.

The return seepage will always more than counterbalance the depletion, and there will always continue to be 16,250,000 acre-feet or more available for use in the lower basin, provided the Arizona high-line canal is built.

This remarkable creation of reflow or return seepage, which will make it possible to increase the total supply available until the return seepage extends 4,000,000 acre-feet, exceeds the greatest possible depletion resulting from the enlarged use in the upper basin, has never been heretofore taken into consideration as one of the greatest values created by the Arizona high-line canal.

Four million acre-feet of return seepage is water enough to irrigate more than 1,000,000 acres of land in Arizona and southern California, and is worth for that purpose more than \$300,000,000.

Three hundred million dollars is more than enough to build the Arizona high-line canal. The Sturtevant estimate of its cost from Bridge Canyon to the end of the canal at Waterman Wash is \$212,000,000.

If the Black Canyon dam were built, and the Arizona high-line canal were thereby made impossible, the loss from this one result of the building of the Arizona high-line canal is alone enough to build both the Glen Canyon and Bridge Canyon dams, in place of the Black Canyon dam, with enough left over to build the Arizona high-line canal.

With such facts as these staring any one in the face who will take the trouble to ascertain them, can it be possible that the public can be permanently deceived or deluded by any smoke screen that can be thrown out to get the Black Canyon dam built and a profit of a billion dollars put into the pockets of the American speculators in Mexican lands?

Therefore, from the completion of the Bridge Canyon dam and the Arizona-California high-line canals, the full quantity of the permanent supply of 16,250,000 acre-feet for the lower basin will be available.

That 16,250,000 acre-feet will adequately irrigate the following lands:

In Arizona:	
280,000 acres comprising 130,000 acres in the Yuma project, 110,000 in the Parker Indian Reservation project, and 40,000 acres of other river-level lands, requiring for its irrigation.....	740,000
3,000,000 acres irrigable from the Arizona high-line canal system, requiring for its irrigation.....	8,000,000
In California:	
1,000,000 acres in the Colorado River Basin, in the Imperial, Palo Verde, and Coachella Valleys.....	4,000,000
1,000,000 acres in the coast basin of southern California, and including all irrigable lands not now irrigated between Ventura and San Diego.....	1,750,000
The Mulholland project for pumping water 1,600 feet over Shavers Summit for a domestic water supply for Los Angeles, if built, will require.....	1,000,000
Total in the United States of America.....	15,490,000

In Mexico:

The above apportionment and use of the available water supply will leave a surplus of 760,000 acre-feet for use in Mexico, which is enough to irrigate the 200,000 acres, which is all they can claim a right to irrigate in Mexico. This 760,000 acre-feet would flow down to the international border in the channel of the Colorado River.

Acres-foot
760,000

Total uses of available supply for the lower basin..... 16,250,000

3. LAND VALUES CREATED IN THE UNITED STATES OF AMERICA

The Black Canyon-Boulder Canyon project, as shown by the Fall-Davis report, will irrigate 1,220,000 acres in the United States of America, of which 280,000 acres are in Arizona and 940,000 acres in California, all worth, when irrigated within 20 years.....	\$610,000,000
The Glen Canyon-Bridge Canyon project, in addition to this 1,220,000 acres, will irrigate the following lands, which will remain unirrigated forever if the Black Canyon dam is built—	
3,000,000 acres under the Arizona high-line canal in Arizona worth when irrigated within 20 years.....	1,500,000,000
1,000,000 acres in the coast basin of southern California, between San Diego and Ventura, worth, when irrigated within 20 years.....	\$1,000,000,000
Total additional land values created by the Glen Canyon-Bridge Canyon project.....	2,500,000,000

These additional land values in the United States of America will never come into existence if the Black Canyon dam is built, because the water necessary for the irrigation of the land will be surrendered to Mexico irrevocably if that dam is built.

Can the United States of America afford to make such a stupendous national sacrifice as that merely to enable a group of American speculators in Mexican lands to realize a profit of approximately a billion dollars from their speculation of selling to Asiatics lands irrigated with the water of the Colorado river; when that water, if used in the United States of America, would create land values of \$2,500,000 within 20 years?

There will be no return seepage if the water goes to Mexico. The losses from evaporation between Bridge Canyon and Yuma, which will be saved if the waters are diverted at Bridge Canyon, will continue forever if the waters are first used in Mexico.

The losses from those two causes will aggregate 5,000,000 acre-feet annually, and continue forever, if the right is established to use the waters in Mexico, as must happen if the Black Canyon dam is built.

The Glen Canyon-Bridge Canyon project will provide enough water to irrigate the 200,000 acres heretofore irrigated in Mexico, which is all they can by any possibility claim a right to under the comity of nations.

The Black Canyon-Boulder Canyon project will provide not less than 8,000,000 acre-feet of water for Mexico, which will increase the irrigated area in that country 10 times and bring 2,000,000 acres under irrigation, to be sold to Asiatics to compete with American agriculture.

American agriculture has troubles enough now without subjecting it to the competition of 2,000,000 acres in Mexico intensively cultivated with Asiatic coolie labor and irrigated from the Colorado River.

The contrast between the plan for the highest utilization of the regulated flow of the waters of the Colorado River, which constitutes the all-gravity American Colorado River constructive plan, and is based on the construction of the Glen Canyon dam for storage and the Bridge Canyon dam for diversion, on the one hand, and, on the other hand, the Mexican-Asiatic low-line river level plan, based on the Black Canyon dam utilizing the Boulder Canyon reservoir site, ought to be enough to satisfy any fair and unprejudiced American citizen that the Black Canyon dam should be abandoned and the Glen Canyon dam built as a substitute for it.

4. THE BLACK CANYON DAM GIVES 8,000,000 ACRE-FEET TO MEXICO

The reason the Black Canyon dam gives 8,000,000 acre-feet annually to Mexico is that the dam is located so far down the river that after the water has dropped over the dam to develop power it has fallen to so low an elevation above sea level that it can never be afterwards diverted from the river high enough for the lands that are to be irrigated in Arizona or high enough to be taken by gravity to the coast basin of southern California.

The level of the bed of the river at the base of the proposed Boulder Canyon dam was 706 feet above sea level. Black Canyon is farther down the river and still lower.

The water must be diverted from the river at an elevation of 2,000 feet if it is to be used for irrigation in Arizona or takes by gravity to the coast basin of southern California.

Any scheme for pumping for reclamation is uneconomic and impracticable, and before it could be put through the waters would have been used in Mexico so long that the claim to them would have ripened under the comity of nations.

As a national and inevitable consequence, once the waters have fallen to the base of the Black Canyon dam, they must

go to Mexico by the law of gravity, and there they will continue to go forever.

The quantity going to Mexico is easily established:

On page 5 of the Fall-Davis report, Senate Document 142, is a table showing the average discharge of the Colorado River at the Laguna Dam, not including the Gila River.

It is fixed at 16,400,000 acre-feet.

From this must be deducted all that can be used for irrigation in the States of Arizona and California, if the Black Canyon dam is built.

This is fixed by the Fall-Davis report at 1,220,000 acres:

	Acre-feet
The water required for its irrigation is.....	5,000,000
Add the quantity required for the Mulholland Los Angeles aqueduct scheme.....	1,000,000
And the total quantity that can be diverted from the river below the Black Canyon dam, so that it will not go to Mexico, is.....	6,000,000
From the amount going to Mexico, a further deduction must be made of the quantity estimated on page 37 of the Fall-Davis report as the reservoir evaporation.....	2,070,000
This makes a total deduction of.....	8,070,000

Deduct this 8,070,000 acre-feet from the total discharge at the Laguna dam of 16,400,000 acre-feet and it leaves to go to Mexico 8,330,000 acre-feet.

That is more than enough to irrigate the 2,000,000 acres for the Asiatic principality in America.

The foregoing facts are absolutely and unqualifiedly true.

They are—

The truth, the whole truth, and nothing but the truth.

They are as conclusively demonstrated by undeniable facts as that the Washington Monument stands in Washington or that the United States of America exists as a Nation.

It would be a national crime to despoil Arizona, a sovereign State of this Union, and rob her of a natural resource of such stupendous magnitude as the waters to reclaim from the desert 3,000,000 acres of irrigable land, leaving it an irreclaimable desert forever, and give that water to a group of conscienceless, if not criminally treasonable, conspirators against the peace and welfare of their own country.

If the water goes to Mexico it will be used to drive an Asiatic wedge into the heart of America at the head of the Gulf of California and establish an Asiatic world seaport at the back door of Los Angeles and Arizona.

It would shock the moral sense and patriotic instincts of the whole American people.

That proposed national iniquity raises an "irrepressible conflict" as to which there can be no compromise, no concession, no adjustment.

Eliminate that contemplated national crime from the problem and every difference between citizens or sections of the United States of America or projects proposed for the benefit of the people of our own country can be amicably adjusted.

Arizona insists that the Colorado River shall not be stolen from her for the benefit of American speculators in Mexican lands.

The objections of southern California will be just as vigorous and just as implacable whenever the people of the coast basin discover that water enough to furnish an abundant water supply for Los Angeles and every other city and town in the coast basin from Ventura to San Diego, and every acre of inadequately irrigated land in that territory, aggregating at least a million acres, can be taken by gravity from Bridge Canyon to Los Angeles and to that entire region between the mountains and the ocean.

Let it be once definitely determined that waters shall not be surrendered to Mexico to which she has no right, morally or legally, under international law or under the comity of nations, and no controversy remains that can not be amicably adjusted between the interests in the United States of America.

The total area irrigated in Mexico from the Colorado River was fixed by the Fall-Davis report in 1922 at something less than 200,000 acres, requiring for its irrigation not more than 740,000 acre-feet annually.

If it were assumed that Mexico should be conceded a right under the comity of nations to the water necessary for the continued irrigation of that 200,000 acres, the claim could not be for more than 740,000 acre-feet annually.

Seven hundred and forty thousand acre-feet annually is the maximum limit of Mexico's moral claim under the comity of nations.

Whether that claim should be allowed for the benefit of the American speculators who would profit by it depends on facts which cast a doubt upon it.

The American Government before conceding the claim should demand to know the whole truth as to the methods that have been adopted to frustrate every effort to bring about the utilization of the waters of the Colorado River in the United States of America instead of in Mexico.

"He who comes into equity must come with clean hands," is a motto of courts of equity that would apply with full force to that speculative conspiracy against the United States of America.

There can be no doubt that there is in Mexico more than 2,000,000 acres of irrigable land which could be irrigated from the waters of the Colorado River if the Black Canyon dam were built.

A large map which has hung in the office of the Committee on Irrigation and Reclamation of the House of Representatives for many months specifies the lands irrigable in Mexico as follows:

Areas in Mexico. "A," under present canal system: Land & Water Co. of Lower California, 72,000 acres; small tracts near Mexicali, 10,000; International Co., 12,000; Imperial Development Co., 15,000; Easton tract, 15,000; Government lands, 8,000; Colorado River Land Co., 208,000; total under present canals, 340,000 acres.

"B," additional lands: Mesa lands under all-American canal, 43,000 acres; delta lands, chiefly Colorado River Land Co., 510,000; Sonora lands, 550,000; Pattie Basin, 400,000; total, 1,503,000.

Making a total irrigable area in Mexico of 1,843,000 acres.

And this estimate does not include more than 200,000 acres of the finest citrus-fruit land in the world, in an absolutely frostless region, on the great citrus mesa in the Mexican State of Sonora, lying farther east than the 550,000 acres of Sonora lands above referred to, which would ultimately be irrigated for citrus-fruit culture by pumping, as the Yuma Mesa is now being irrigated.

The total area eventually irrigable in Mexico exceeds 2,000,000 acres.

If the water to irrigate that 2,000,000 acres goes to Mexico, it deprives the United States of America of water which, if used first in the coast basin of southern California and on the high mesa lands of Arizona lying under the Arizona high-line canal, will make 1,000,000 acres of land in southern California worth a billion dollars more than it is worth to-day, and will make 3,000,000 acres in Arizona worth a billion dollars more than it is worth to-day.

It will transform that 3,000,000 acres in Arizona into a fertile and populous region large enough to be the equivalent of 10 units each the equal in wealth and population of the Salt River Valley unit under the Roosevelt Dam.

Arizona's revenue from State, county and municipal taxation on that vast wealth-producing territory would exceed \$25,000,000 per annum.

That is what Arizona loses if the Black Canyon-Boulder project is built.

Is it conceivable that the Congress of the United States, representing the whole American people will wreck that vast national resource in order to present a fortune of a billion dollars or more to a group of American land speculators in Mexico?

It is unbelievable!

And it is still more unbelievable when the fact is known that by building the Glen Canyon-Bridge Canyon project this huge national sacrifice becomes unnecessary.

Arizona can not, under any circumstances, consent to the Black Canyon-Boulder Canyon project, without consenting to her own ultimate ruin.

The question to be first determined is whether some other plan can be evolved which will not ruin Arizona, and will at the same time afford to all other interests and sections in the United States of America all the advantages they seek from the development of the Colorado River.

If everything those interests or sections require can be given to them without injuring or destroying the future development of Arizona, the plan that will do that will be adopted, whenever the facts are made known to the people of the entire Nation.

The Black Canyon-Boulder Canyon project should be known as the Asiatic-Mexican low-line, river-level Colorado River project, because if built it will surrender 8,000,000 acre-feet a year of water to Mexico and create an Asiatic annex in America.

The Glen Canyon-Bridge Canyon project should be known as the all-gravity American Colorado River project, because it will utilize that same water in Arizona and California, where it will irrigate over 3,000,000 acres in Arizona, that must re-

main a desert forever if the water goes to Mexico, and 1,000,000 acres in the coast basin of southern California, having no other source for an adequate water supply.

ENGINEERING WORKS NECESSARY TO BE BUILT FOR THE AMERICAN COLORADO RIVER CONSTRUCTIVE PLAN

1. THE ALL-AMERICAN CANAL

Whatever plan may be adopted for the financing of the proposed Boulder Canyon project, including the Black Canyon dam, will fit just as well the Glen Canyon-Bridge Canyon project, so in that respect there is no difference between the two.

The all-American canal for the Imperial Valley is an integral part of both plans, and it matters not to the people of the Imperial Valley which plan may be adopted, so far as the all-American canal is concerned.

It is urged under both plans that the all-American canal should be built and its cost eventually financed and paid for from the power resource, so that no burden shall rest on the local landowners, either now or hereafter, as the result of its construction.

The Glen Canyon-Bridge Canyon project as embodied in the American Colorado River constructive plan goes further, however, and contemplates that the all-American canal shall be cemented for the entire distance that it parallels the international boundary line and covered wherever necessary to protect it from shifting sands.

This additional cost should be regarded as a measure for military safety for the Nation, and should be financed from the power resource the same as the cost of construction for the all-American canal as included in the Black Canyon-Boulder Canyon project.

2. FLOOD PROTECTION FOR IMPERIAL VALLEY AND OTHER COMMUNITIES

The Glen Canyon dam will provide flood protection for the Imperial Valley, the Palo Verde Valley, the Yuma Valley, and all communities and lands in the entire flood-menaced region of the Colorado River country from Glen Canyon to the International Boundary line.

All the waters coming into the river below the Glen Canyon reservoir from every source could never create a flood below that reservoir that could by any possibility endanger the Imperial Valley.

The Glen Canyon dam and storage reservoir would furnish complete flood protection from the Colorado River.

The Sentinel dam on the Gila River should be built as an additional safeguard, solely as a flood-control dam, like the Miami River flood-control dams.

The cost of the Sentinel dam would not exceed from three to five million dollars, and should be added to the project and its construction cost financed the same as other construction units.

The necessity for flood-protection for the Imperial Valley has been the point most vociferously urged by those whose interest in the Black Canyon-Boulder Canyon project is chiefly because it will send the waters to Mexico.

That protection is completely given without sending the waters to Mexico by the Glen Canyon dam and storage reservoir.

The Sentinel dam on the Gila River is an additional safeguard, not provided in the Black Canyon-Boulder Canyon project.

3. REGULATION OF THE FLOW OF THE COLORADO RIVER

(a) The people of the Imperial Valley want the flow of the river regulated so as to increase the low-water flow for irrigation.

(b) The people of Los Angeles want the low-water flow increased to supply their infiltration canal, from which they propose to pump the water 1,600 feet over Shavers Summit to Los Angeles for a municipal supply.

(c) The people of Los Angeles want the flow of the river regulated and standardized throughout the year so it may be used for hydroelectric power development.

For all three of these purposes the flow of the river will be regulated just as well by building the Glen Canyon dam as by building the Black Canyon dam.

For increased irrigation supplies in the low-water season, for a municipal supply for Los Angeles, and for power development the Glen Canyon dam will serve just as well; and it has many advantages, even for those three purposes, over the Black Canyon dam.

The Black Canyon dam is referred to by its proponents as creating a storage reservoir with a capacity of 26,000,000 acre-feet. This is a delusion. The Black Canyon dam will hold behind the dam 26,000,000 acre-feet, but 10,500,000 acre-feet of that reservoir capacity is "dead storage." Once filled it will never again be emptied. If that space were filled with silt,

it would serve every useful purpose just as well. The available storage is only 15,500,000 acre-feet.

The Glen Canyon dam can be built to a height that will create available storage of 26,000,000 acre-feet for less money than the Black Canyon dam can be built to provide only 15,500,000 acre-feet of available storage. And even though the Glen Canyon dam were only built to a height sufficient to hold 8,000,000 acre-feet, as suggested in the La Rue report, Water Supply Paper 556, it would fully serve the purpose of providing all three of the requirements above specified: (a) increased water for irrigation in the low-water season; (b) the increased flow necessary to provide the 1,000,000 acre-feet annually to be diverted into the Mulholland-Los Angeles-Colorado River aqueduct system; (c) power development for Los Angeles.

4. HYDROELECTRIC POWER FOR LOS ANGELES

The most insistent influence behind the Black Canyon-Boulder Canyon project has been the Municipal Power Bureau of the city of Los Angeles. They have spent huge sums conducting a local campaign in behalf of it, subsidized the Boulder Dam Association, and spent a large amount in newspaper advertisements of the project in the Los Angeles newspapers.

The Boulder Canyon dam, originally advocated, has been abandoned because of the great depth to bedrock making it impracticable to build a dam at Boulder Canyon. The Black Canyon dam is now advocated as a substitute for the Boulder Canyon dam.

The objections to the Black Canyon dam hereinbefore set forth furnish a much weightier reason for abandoning the Black Canyon dam and the whole "Boulder Canyon project" and substituting for it the Glen Canyon storage dam and the Bridge Canyon diversion dam.

There is nothing that the Black Canyon dam can provide for Los Angeles in the way of power development that can not be provided better by the Glen Canyon-Bridge Canyon project. The Black Canyon dam sends the waters to Mexico, and the Glen Canyon-Bridge Canyon project does not send the waters to Mexico.

Los Angeles has filed on the Parker site for a power dam, which, its application states, will develop 100,000 horsepower.

The Glen Canyon dam will regulate the flow of the river so as to make the immediate utilization of this Parker River plant by the city of Los Angeles practicable.

This site will furnish Los Angeles with all immediate needs for power. If Los Angeles wishes to build the Parker dam and power plant, well and good. It is entirely within the resources of the city.

If Los Angeles wishes to have this Parker dam and power plant made one unit of the Glen Canyon-Bridge Canyon project, well and good. In either way, it provides Los Angeles with power for immediate use while the larger units of the system are being built.

No California interest need have any anxiety about whether or not the Arizona-California transmission canal from Bridge Canyon to The Needles is or is not practicable, or whether the waters of the Colorado River can be taken from Bridge Canyon to southern California by gravity.

If California does not want the 2,000,000 acre-feet of water for the irrigation of 1,000,000 acres in the coast basin, and does not want the Los Angeles supply to be taken to Los Angeles by gravity instead of pumping it 1,600 feet forever, it is not necessary to force it upon her.

All the water California does not want can and will be used in Arizona, and that will prevent it from going to Mexico.

The Bridge Canyon dam being built, the drop is so much greater at Bridge Canyon than at Black Canyon that half the regulated flow of the river at Bridge Canyon will develop more power than all the flow at Black Canyon.

If California should take only the 4,000,000 acre-feet required for the irrigation of the lands in that State in the Colorado River basin, and the additional 1,000,000 acre-feet required for the Mulholland aqueduct pumping scheme, making 5,000,000 acre-feet in all, supplemented by the Arizona water to be used on low river-level lands, that water, falling over the Bridge Canyon dam, and producing power there, and again falling over the Parker dam and developing power there, would generate approximately as much power as would be developed at Black Canyon.

California would have to go about 50 miles farther than to Black Canyon for the power at Bridge Canyon, but the power at Parker would be nearer to Los Angeles than at Black Canyon, and California would get just as much power without additional cost.

5. TAKING THE WHOLE PROJECT INTO CONSIDERATION

(1) The cost of the all-American canal for the Imperial Valley would be the same under either project. If the cost were

increased to cover cementing the canal, and covering it where necessary, that additional cost would be advanced by the National Government and repaid from the revenues from the power resources.

(2) The Glen Canyon dam for flood prevention and protection and for river regulation would cost no more than the Black Canyon dam and would develop 334,000 horsepower, enough to finance its cost. That power would be immediately needed and used in Arizona, Utah, Colorado, and New Mexico.

(3) The cost of the Parker dam and also of the Sentinel flood-control dam could be added to that of the Glen Canyon dam, and it would still cost less than the Black Canyon dam if built to provide the same storage capacity.

When the situation is thus analyzed it becomes manifest that if the Mexican scheme is eliminated every other interest in the United States of America can be provided with every benefit sought from the Colorado River, without any additional cost, under the Glen Canyon-Bridge Canyon project.

6. THE FINANCING OF THE BRIDGE CANYON DAM

No matter which of the alternative systems may be adopted for the use of water from the Colorado River in California, that State can be supplied with as much power from the Bridge Canyon system as from the Black Canyon system, and at no greater cost.

The power developed by the building of the Bridge Canyon dam will entirely finance the cost of the dam, and the power developed from the Arizona high-line canal will finance the construction of that canal, just as it financed the Roosevelt Dam and the Salt River reclamation project and is now expected to finance the all-American canal.

The entire development of primary power at the Black Canyon dam will be only 550,000 horsepower. The dam will be 552 feet in height.

At the Bridge Canyon site, if the dam were built to a height of 566 feet, as suggested on page 75 of the La Rue report, United States Geological Survey Water Supply Paper 556, the power development would be 1,015,000 primary horsepower.

If the dam were built to its full height of 800 feet, the static head being 785 feet, as stated on page 77 of the La Rue report, the development of primary power would be 1,280,000 horsepower.

Note here, again, that one-third of the water required to develop 550,000 horsepower at Black Canyon would develop over 400,000 horsepower at Bridge Canyon, and one-half of the water would develop 640,000 horsepower.

This gives an idea of the power that would be developed at Bridge Canyon with the California water if it were dropped over the dam at Bridge Canyon and power developed with it there, and all the water for Arizona taken out into the Arizona high-line canal at Bridge Canyon dam.

If 60 per cent of the water were taken out at Bridge Canyon for Arizona, it would develop 660,000 horsepower from the drops in the Arizona canal.

Any way it may be figured there is over 600,000 horsepower available to finance the cost of the Bridge Canyon dam, and more than another 600,000 available to finance the cost of the Arizona high-line canal.

If California does not participate in the benefits of the transmission canal from Bridge Canyon to The Needles, more power can be developed for California under the Glen Canyon-Bridge Canyon project at Bridge Canyon dam, and at less comparative cost, than can be developed at the Black Canyon dam, because of the large share of the cost of the Bridge Canyon dam that would be allocated to the Arizona high-line canal.

Why, then, must the Black Canyon-Boulder Canyon project be built instead of the Glen Canyon-Bridge Canyon project, and why do its promoters cling with such desperate tenacity to the Black Canyon dam, if it is not because it gives the water to Mexico?

Under the Glen Canyon-Bridge Canyon project:

1. The Imperial Valley gets the all-American canal;
 2. The Imperial Valley gets complete flood-protection;
 3. The Imperial Valley gets increased irrigation water;
 4. The city of Los Angeles gets more hydroelectric power;
 5. The city of Los Angeles gets 1,000,000 acre-feet for its Colorado River Municipal Aqueduct;
- And, in addition to all this:
6. Southern California gets by gravity water to adequately irrigate 2,000,000 acres;
 7. Arizona gets 3,000,000 acres reclaimed that will remain a desert forever if the Black Canyon dam is built.

Mr. MOSES. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Arizona yield to the Senator from New Hampshire?

Mr. CAMERON. I do.

Mr. MOSES. I wish to ask a question. Does the Senator from Arizona wish to go on with his illuminating speech to-night, or does he wish to resume the floor at some other time?

Mr. CAMERON. I yield to my colleague [Mr. ASHURST].

Mr. MOSES. Does the Senator yield the floor?

Mr. CAMERON. I yield the floor.

Mr. ASHURST obtained the floor.

Mr. BRUCE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Maryland?

Mr. ASHURST. I yield.

Mr. BRUCE. I move that the Senate take a recess in accordance with the unanimous-consent agreement.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maryland.

The motion was rejected.

Mr. ASHURST addressed the Senate. After having spoken for 15 minutes,

Mr. BRUCE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Maryland?

Mr. ASHURST. I do not wish to yield the floor.

Mr. BRUCE. May I note the absence of a quorum?

Mr. ASHURST. I beg the Senator not to do so at this time. I thank him. I do not wish to have any dilatory motion made. I do not mean by that that the motion would be dilatory, but the able and the alert opponents might say, in some moment of injustice, that I had consented to some matter that might be frivolous. The Senator from Maryland is not in the habit of doing frivolous things. He is one of the Senators whose conduct is characterized by high motives, and I hope he will excuse me. I used the word "frivolous," but I am under fire. I am under a sort of a searchlight and do not intend that anything shall be done or consented to by myself that might hereafter be charged against me as having indulged in any sort of a filibuster.

Mr. CURTIS. Mr. President, does the Senator want to finish his speech to-night?

Mr. ASHURST. I am hoping that the able Senator from California [Mr. JOHNSON] will soon move to recess, in order to relieve me from the necessity of speaking, and relieve Senators from the necessity of having a speech from me inflicted upon them.

Mr. JOHNSON. Mr. President, I can not imagine that there could be anything more charming than a speech at this time of night by the Senator from Arizona. I am most anxious to listen to it, and if the Senator from Colorado [Mr. PHIPPS], who has a speech, will only come in here and deliver it, I would be charmed, too.

Mr. ASHURST. Mr. President, from the time of my youth I have admired the senior Senator from California, and one thing that has attracted my admiration for him is that in the hottest conflict that Senator is always a gentleman, and I thank him for his compliment.

Mr. PHIPPS. Mr. President, will the Senator yield?

Mr. ASHURST. I yield.

Mr. PHIPPS. I simply want to call the attention of the Senator from California to the fact that I am paying close attention to the discourse of the Senator from Arizona.

Mr. JOHNSON. Mr. President—

Mr. ASHURST. I must not lose the floor.

Mr. JOHNSON. I am delighted that the Senator from Colorado is paying such close attention to the discourse of the senior Senator from Arizona that he paid to the discourse of the other Senator from Arizona, and I am hoping that we may have the opportunity to pay that close attention to his dissertation upon this very important bill that I know he has prepared elaborately, and that he is ready to make between now and 4 o'clock in the morning.

Mr. ASHURST resumed his speech. After having spoken for 10 minutes,

Mr. BRUCE. Mr. President, will the Senator yield to me for just a moment?

Mr. ASHURST. I yield.

Mr. BRUCE. I move that the Senate do now take a recess. It seems to me the Senator from Arizona might renounce the chivalrous impulses by which he seemed to be actuated when last I made the motion.

Mr. MOSES. Does the Senator from Arizona yield for that purpose?

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland.

Mr. MOSES. I do not like to interrupt the illuminating history of the compact which the Senator from Arizona is entering upon. May I be assured that he will resume his speech when we meet again to-morrow?

Mr. ASHURST. I shall regret very much to be obliged to talk further on the subject. Let me say to the Senator from California [Mr. JOHNSON] who is not in the Chamber, but if he will step in I will say to him—

Mr. BRUCE. Mr. President, I ask unanimous consent that the Senator from Arizona be allowed to continue his observations to-morrow.

Mr. LA FOLLETTE. I object.

Mr. MOSES. If we take a recess the Senator from Arizona would have the floor.

Mr. ASHURST. I assure the Senator—

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland that the Senate take a recess, the recess being until noon to-morrow.

On a division the motion was rejected.

Mr. MOSES. Mr. President—

Mr. ASHURST. I must resume now.

Mr. MOSES. It ought to be possible—

Mr. ASHURST. I can not yield for the moment.

The VICE PRESIDENT. The Senator from Arizona has the floor.

Mr. ASHURST. It is no pleasure to me to be required to talk to-night. I had to consult a physician late last week with respect to throat trouble and if my words are not painful to others they are painful to me. I am glad at any time to have any Senator move to adjourn or take a recess, but I repeat I do not intend that when this RECORD is explored in the future it can be said that I made a single motion which could be considered dilatory or looking even toward a frivolous matter.

Mr. MOSES. Mr. President, will the Senator yield to me for one observation?

Mr. BRUCE. Mr. President—

Mr. ASHURST. I feel that I must yield first to the Senator from New Hampshire.

Mr. MOSES. I can not permit this session to come to a close without expressing my opinion that no matter how repugnant it may be to the Senator from Arizona to hear his own voice, there are those of us who wish to hear it, and I insist that he shall be permitted to go on either to-night or to-morrow, as he may see fit.

Mr. ASHURST. I yield now to the Senator from Maryland.

Mr. BRUCE. Mr. President, I note the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	McKellar	Pittman
Bingham	Frazier	McMaster	Robinson, Ark.
Blease	Gillett	McNary	Sackett
Bratton	Hale	Mayfield	Schall
Bruce	Howell	Moses	Sheppard
Cameron	Johnson	Neely	Shipstead
Copeland	Jones, Wash.	Norris	Shortridge
Curtis	Kendrick	Nye	Stephens
Edwards	La Follette	Phipps	Trammell

Mr. PITTMAN. Mr. President, the junior Senator from Nevada [Mr. ODDIE] was here a few moments ago, but he has been suffering from influenza and was compelled to leave.

The VICE PRESIDENT. Thirty-six Senators having answered to their names, a quorum is not present.

Mr. JOHNSON. I first ask that the names of the absent Senators be called.

The VICE PRESIDENT. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. DENEEN answered when his name was called.

Mr. BRATTON. I desire to state that my colleague [Mr. JONES of New Mexico] is necessarily absent on account of illness. I ask that this announcement also stand with reference to the last roll call this evening.

The VICE PRESIDENT. Thirty-seven Senators have answered to their names. A quorum is not present.

Mr. JOHNSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. BLEASE. Mr. President, I wish to state that the senior Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family, and, if the motion of the Senator from California shall be adopted, I hope the Sergeant at Arms will not disturb him because it is his wife who happens to be sick.

Mr. McMASTER. I desire to announce that my colleague, the senior Senator from South Dakota [Mr. NORBECK], was forced to retire from the Chamber this evening on account of illness. I trust the Sergeant at Arms will not disturb him.

Mr. BRUCE. I move that the Senate now take a recess according to the unanimous-consent agreement.

Mr. JOHNSON. The motion which I made has precedence and the motion of the Senator from Maryland is out of order. I make the point that it is out of order and submit it to the Vice President.

Mr. BRUCE. I understand the Senator makes the point.

Mr. JOHNSON. Yes; I have made the point and ask the Vice President to rule on it.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. BRUCE. I will be very glad to have an opportunity to get information from the Senator from California, however dubious in value it may be.

The VICE PRESIDENT. The question is on the motion of the Senator from California that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay,

Mr. BRUCE. Mr. President, I move that the Senate take a recess.

Mr. NORRIS. I make the point of order that the motion is dilatory.

The PRESIDENT pro tempore. The point of order is well taken. For the information of the Senate, the Chair will state that under the previous order of the Senate no business is in order except the securing of a quorum.

Mr. BRUCE. I was hoping that the present occupant of the chair might reverse that decision.

The PRESIDENT pro tempore. Sotto voce, the Chair will say to the Senator from Maryland that he also is a slave to precedent.

Mr. FESS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Ohio will state it.

Mr. FESS. Does the Presiding Officer's decision mean that a motion to adjourn could not be made?

The PRESIDENT pro tempore. Under the unanimous-consent agreement no motion is in order except one to recess, such as the Senator from Maryland has made; but unless the proceedings are vacated under the last motion to direct the Sergeant at Arms to procure the attendance of a quorum, no motion can be entertained.

Mr. BRUCE. Mr. President, it is always with the greatest regret that I take any appeal from the decision of the Chair. In this case, however, I feel the less hesitation in doing so because I think that the Chair has simply felt—

Mr. NORRIS. Mr. President, I object to an argument. The Senator has no right to make a speech.

Mr. BRUCE. I am not making any speech.

Mr. NORRIS. Maybe it will not quite reach that high, but I do not know what else to call it. I make the point of order that an argument now is out of order.

Mr. BRUCE. I am taking an appeal; and I simply say, as a matter of courtesy to the Chair—the Senator is a stranger, perhaps—

Mr. NORRIS. I make the point of order that the Senator is making an argument. If he wants to appeal, let him take an appeal.

The PRESIDENT pro tempore. The Chair holds that no immediate business is in order except a motion to vacate the proceedings to procure the attendance of a quorum, following which a motion to carry out the unanimous-consent agreement is in order. If the Senator from Maryland wishes to make a motion to vacate the proceedings—

Mr. NORRIS. I submit to the Chair that it is not the duty of the Chair to suggest to those who are filibustering how they ought to do it. Let them follow their own advice.

Mr. ROBINSON of Arkansas. Mr. President, the Senator from Nebraska objected to an argument from the Senator from Maryland, and now he is making an argument himself.

Mr. NORRIS. Yes; and the Chair did not sustain the objection; so, under that precedent, I am entitled to make one.

Mr. BRUCE and Mr. ROBINSON of Arkansas addressed the Chair.

The PRESIDENT pro tempore. For the moment all Senators will suspend. The point of order is made by the Senator from Nebraska that the Senator from Maryland should not proceed to argue the question of his appeal. Is that the status of the business before the Senate?

Mr. NORRIS. I think so.

Mr. BRUCE. Mr. President, I appeal from the decision of the Chair.

Mr. NORRIS. I make the point of order that the appeal is dilatory, and ought not to be entertained.

Mr. ROBINSON of Arkansas. Mr. President—

The PRESIDENT pro tempore. The Senator from Arkansas.

Mr. ROBINSON of Arkansas. Surely the Chair—

Mr. NORRIS. I object to the Senator from Arkansas making an argument on the matter.

Mr. ROBINSON of Arkansas. I understand that the Senator objects; but certainly the Chair would not deny the Senate the right of an appeal from his decision.

The PRESIDENT pro tempore. Certainly not.

Mr. ROBINSON of Arkansas. I feel that it is proper to say—

Mr. NORRIS. If the Senator from Arkansas is going to argue the matter—

Mr. ROBINSON of Arkansas. I have as much right to argue it as the Senator from Nebraska has.

Mr. NORRIS. I am objecting to the Senator from Arkansas arguing it.

The PRESIDENT pro tempore. The Chair understands the Senator from Arkansas to be stating a point of order.

Mr. ROBINSON of Arkansas. I am not stating a point of order.

Mr. NORRIS. All right; then I make the point of order that the Senator from Arkansas is out of order.

Mr. ROBINSON of Arkansas. I am arguing the appeal of the Senator from Maryland.

Mr. President, I feel that in all fairness the Senator from Maryland is entitled to have his appeal put. Those who think that the time has come when the Senate should discontinue this session are not filibustering against this bill. I do not propose to be put in that attitude.

The PRESIDENT pro tempore. May the Chair say that absolutely no debate whatever is in order until a quorum is procured?

Mr. NORRIS. I want to state to the Chair that I made that point; but it seems that the Senator from Arkansas can go on and make an argument without a quorum.

The PRESIDENT pro tempore. That point of order the Chair sustains.

Mr. ROBINSON of Arkansas. Mr. President, the Senator from Nebraska seems to think that he alone has the right to make an argument.

Mr. NORRIS. If the Chair wants to enforce his ruling, I suggest that he do so.

Mr. ROBINSON of Arkansas. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas will state it.

Mr. ROBINSON of Arkansas. Is an appeal pending from the decision of the Chair?

The PRESIDENT pro tempore. The Chair is of opinion that under the motion made by the Senator from California no debate and no business whatever is in order until a quorum is obtained; but under the unanimous-consent agreement heretofore entered into the Chair would hold that a motion to take a recess is tantamount to a motion to adjourn, which is always in order, and the Chair is entirely willing to entertain such a motion.

Mr. ROBINSON of Arkansas. Mr. President, I move that the Senate take a recess.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Arkansas. [Putting the question.] The Chair is in doubt.

Mr. ROBINSON of Arkansas. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. PITTMAN (when Mr. ODDIE's name was called). The junior Senator from Nevada [Mr. ODDIE] is detained on account of illness. If he were present, I am informed that he would vote "nay."

The roll call was concluded.

Mr. McKELLAR. I have a general pair with the senior Senator from Ohio [Mr. WILLIS], which I transfer to the junior Senator from Arkansas [Mr. CARAWAY], and will vote. I vote "yea."

Mr. GILLETT (after having voted in the negative). I have a general pair with the Senator from Alabama [Mr. UNDERWOOD]. I transfer that pair to the Senator from Vermont [Mr. GREENE], and will let my vote stand.

Mr. JONES of Washington. I desire to announce the following general pairs:

The Senator from Oklahoma [Mr. HARRELD] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Delaware [Mr. DU PONT] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Colorado [Mr. MEANS] with the Senator from Virginia [Mr. SWANSON].

The roll call resulted—yeas 14, nays 21, as follows:

YEAS—14			
Ashurst	Bruce	Hale	Robinson, Ark.
Bingham	Cameron	McKellar	Stephens
Blease	Curtis	Moses	
Bratton	Fess	Phipps	
NAYS—21			
Copeland	Jones, Wash.	Neely	Sheppard
Edwards	Kendrick	Norris	Shipstead
Frazier	La Follette	Nye	Shortridge
Gillett	McMaster	Pittman	
Howell	McNary	Sackett	
Johnson	Mayfield	Schall	
NOT VOTING—60			
Bayard	Gerry	McLean	Stanfield
Borah	Glass	Means	Steck
Broussard	Goff	Metcalf	Stewart
Capper	Gooding	Norbeck	Swanson
Caraway	Gould	Oddie	Trammell
Couzens	Greene	Overman	Tyson
Dale	Harreld	Pepper	Underwood
Deneen	Harris	Pine	Wadsworth
Dill	Harrison	Ransdell	Walsh, Mass.
du Pont	Hawes	Reed, Mo.	Walsh, Mont.
Edge	Heflin	Reed, Pa.	Warren
Ernst	Jones, N. Mex.	Robinson, Ind.	Watson
Ferris	Keyes	Simmons	Weller
Fletcher	King	Smith	Wheeler
George	Lenroot	Smoot	Willis

The PRESIDENT pro tempore. On this question the yeas are 14, the nays are 21. No quorum is voting; but the motion is lost, and the Sergeant at Arms will proceed to carry out the orders of the Senate.

Mr. NEELY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. NEELY. Was the Sergeant at Arms instructed to request or to compel the attendance of absent Senators?

The PRESIDENT pro tempore. To request the attendance of absent Senators, as the Chair understands.

Mr. NEELY. I move, as a substitute for that motion, that the Sergeant at Arms be required to compel the attendance of the absent Members.

The PRESIDENT pro tempore. It is not necessary to make that motion as a substitute. That motion is in order.

Mr. NEELY. I make it, then.

The PRESIDENT pro tempore. The question is upon agreeing to the motion of the Senator from West Virginia.

Mr. JOHNSON. Mr. President, may I not ask the Senator from West Virginia to withhold that motion until the Sergeant at Arms reports upon the order that already has been made?

Mr. NEELY. If that is the wish of the Senator from California, I will withhold it. I should like to have somebody speaking here as soon as possible, though, and I do not want us to lose any time. I know that the Senator from Arizona is anxious to proceed.

Mr. ASHURST. Mr. President, debate is not in order.

The PRESIDENT pro tempore. No debate whatever is in order pending the carrying out of the order.

At 12 o'clock and 5 minutes a. m. Wednesday,

Mr. BRUCE. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER (Mr. Nye in the chair). The Senator will state the inquiry.

Mr. BRUCE. I would like to ask how long, in the opinion of the Presiding Officer, the Senate should wait for a report of the Sergeant at Arms as to absent Members of the Senate?

The PRESIDING OFFICER. The Chair would state that until the Sergeant at Arms makes a report there is nothing in order except to wait.

Mr. BRUCE. Suppose it should become necessary to send some one after the Sergeant at Arms? That might become necessary. Would we continue to sit here until to-morrow morning at breakfast time?

The PRESIDING OFFICER. The Chair would so rule.

Mr. DILL entered the Chamber and answered to his name.

Mr. NEELY. Mr. President, I renew the motion which I withdrew a while ago at the request of the Senator from California [Mr. JOHNSON]. I now move that the Sergeant at Arms be directed to compel the attendance of absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from West Virginia.

On a division, the motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. DILL. Mr. President, I voted to compel absent Senators to come in because I took the request of the Sergeant at Arms as an order to attend. I consider, when he calls me up and tells me to come, that it is an order of the Senate to appear. I think any Senator who does not so respect such a request ought to be compelled to attend.

The PRESIDING OFFICER. The order to compel Senators to attend will be entered.

At 12 o'clock and 20 minutes a. m., Wednesday, February 23, 1927, the Sergeant at Arms (David S. Barry) appeared at the Vice President's desk.

Mr. JOHNSON. Mr. President, I ask that the Sergeant at Arms may submit his report.

The PRESIDING OFFICER. The Senate will hear the report of the Sergeant at Arms.

Sergeant at Arms BARRY. The Sergeant at Arms has endeavored to reach by telephone every Senator who is not recorded as being present except those who are ill.

Mr. BAYARD could not come because he is getting ready to go out of town to attend a funeral to-morrow.

At Mr. BORAH's residence there is no answer.

Mr. BROUSSARD is ill.

At Mr. CAPPER's residence there is no answer.

Mr. CARAWAY's telephone, it is said, has been discontinued.

Mr. COUZENS has gone to bed ill.

Mr. DALE said that he would come later if necessary, but he was in bed.

Mr. DILL is coming.

SEVERAL SENATORS. The Senator from Washington [Mr. DILL] is present.

Sergeant at Arms BARRY. Then he has come in since the report was made to me.

Mr. EDGE is not at home.

Mr. ERNST says he waited too long to be called and went to bed.

Mr. FERRIS says he is tired out and can not come.

Mr. FLETCHER will come.

Mr. GEORGE is ill.

Mr. GLASS will come.

Mr. GOFF has gone to bed with a bad cold.

Mr. GOODING is in bed, but says, "All right; I will come over."

Mr. GOULD has gone to bed.

Mr. HARRIS is sick.

Mr. HARRISON is not at home.

Mr. HAWES reported that he was in bed, but says he will be here.

Mr. HEFLIN is reported as being ill, and can not come.

Mr. KEYES is in bed, but says he would think it over. [Laughter.] I think he was serious about that, and that he is considering coming. [Laughter.]

Mr. NEELY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NEELY. Did the Sergeant at Arms inform the Senators that he would arrest them and bring them here, if necessary in chains, if they did not come, or is he letting them escape by simply allowing them to state that they have gone to bed? That is not any defense to a peremptory call of the Senate and a requirement that the Sergeant at Arms compel them to attend.

The PRESIDING OFFICER. The Sergeant at Arms advises the Chair that he has no power to arrest a Senator who does not comply with a request or a demand made for his attendance here.

Mr. ROBINSON of Arkansas. Mr. President, I suggest that the Sergeant at Arms continue his report.

Sergeant at Arms BARRY. Mr. KING is ill.

At Mr. McLEAN's residence, we reached some one on the telephone, who refused to give him the message.

Mr. METCALF's telephone does not respond, and we got no reply, although we tried several times.

At Mr. PINE's residence there is no answer to his telephone. Although he lives in a hotel, we could not get any reply.

Mr. RANDELL, no answer.

Mr. REED of Missouri, no answer.

Mr. REED of Pennsylvania, no answer.

Mr. ROBINSON of Indiana is coming over.

Mr. SMITH has illness in his family.

Mr. STANFIELD, no answer.

Mr. STECK is on his way to the Senate.

Mr. STEWART gave a jocular reply. I do not know exactly how definite it was; I do not know just what he did say.

Mr. NEELY. Well, that is contempt. [Laughter.]

Sergeant at Arms BARRY. Mr. SWANSON is ill.

Mr. WADSWORTH is out.

Mr. WALSH of Montana said, all right, he would come.

Mr. WALSH of Massachusetts said he would see, but is reported as being on his way.

Mr. WATSON is ill.

We have no answer from Mr. WHEELER.

Mr. JOHNSON. I inquire what is the number of Senators who have answered to the roll call?

The PRESIDING OFFICER. Thirty-eight Senators have now answered to the roll call.

Mr. BRUCE. Mr. President, the famous French writer Rabelais—

Mr. JOHNSON. Mr. President, I rise to a point of order. If the Senator has a motion to make, let him make it; but I submit that debate is not in order at this time.

Mr. BRUCE. I did not know that my eloquence was of such a distressing nature to the Senator from California.

Mr. President, I move that the Senate now take a recess in order to bring this farce to an end.

Mr. NORRIS. I make the point of order that that is dilatory, no business having been transacted since we voted on that same motion previously.

The PRESIDING OFFICER. The Chair will rule the point of order well taken.

Mr. DILL. Mr. President, a parliamentary inquiry. Do I understand that the Sergeant at Arms has no power to arrest Senators when the Senate has ordered them to be brought in?

The PRESIDING OFFICER. The Sergeant at Arms so states.

Mr. DILL. I thought, perhaps, the Chair could give me some further information.

Mr. NEELY. Mr. President, without intending any reflection on the Sergeant at Arms—for he always does his duty—I wish to say if the Sergeant at Arms has no power other than the power to request the attendance of absent Senators, of course, the rules are meaningless, because the rules specifically provide that he may request, and, if necessary, compel the attendance of absent Senators. Compelling the attendance of absent Senators is not requesting them to come here for a session of the Senate and then accepting an excuse that they have gone to bed.

Mr. LA FOLLETTE. Mr. President, I think the usual procedure, I will say to the Senator from West Virginia, is to adopt a special resolution or order empowering the Sergeant at Arms to arrest and compel the attendance of absent Senators.

Mr. DILL. I thought we had adopted such a motion.

Mr. LA FOLLETTE. There was no such motion, as I recall.

Mr. JONES of Washington. Mr. President, I wish to suggest that there was a motion adopted directing the Sergeant at Arms to compel the attendance of absent Senators. Whether or not that motion was in the regular legal form, I am not prepared to say, but such a motion was adopted.

Mr. BRUCE. Mr. President, I should like to ask the Senator from Washington if that motion has not intervened since the last motion to take a recess was made? Is that the recollection of the Senator from Washington?

Mr. JONES of Washington. My recollection is that that was the last motion made.

Mr. BRUCE. So there has been intervening business, Mr. President, and I renew my motion that the Senate now take a recess.

Mr. NORRIS. I make the same point of order and the assertion also that the Senator, in my judgment, as I remember the proceeding, is entirely mistaken.

Mr. JONES of Washington. A parliamentary inquiry, Mr. President. I wish to ask the Chair if the motion to take a recess is not still pending? A roll call was ordered on that motion but developed there was no quorum present. Therefore, in my judgment, the motion to take a recess is still pending awaiting the development of a quorum.

Mr. NORRIS. The Chair held, and so announced, that the motion was lost, and that it did not require a quorum to take a recess or to adjourn.

At 12 o'clock and 30 minutes a. m. Mr. LENROOT entered the Chamber and answered to his name.

At 12 o'clock and 40 minutes a. m. Mr. ROBINSON of Indiana entered the Chamber and answered to his name.

Mr. SACKETT. Mr. President, I move that the Senate take a recess.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky.

On a division, the motion was rejected.

The PRESIDENT pro tempore. The Sergeant at Arms will proceed to execute the order of the Senate.

Mr. NEELY. Mr. President, because of the well-known austerity of the present Presiding Officer, I think if the Sergeant at Arms would inform the absent Members who is now in the chair perhaps they would be more responsive to his request to attend.

The PRESIDENT pro tempore. The Sergeant at Arms will take judicial notice of the suggestion of the Senator from West Virginia.

At 12 o'clock and 45 minutes a. m. Mr. STECK entered the Chamber and answered to his name.

Mr. NEELY. Mr. President, I offer the following order:

IN THE SENATE OF THE UNITED STATES.

Whereas under the rules of the Senate a call of the Senate has been ordered; and

Whereas the following-named Senators are absent without leave of the Senate, to wit (their names to be filled in):

Whereas it is necessary to compel the attendance of said absent Senators in order that the Senate may proceed to the transaction of its business: Therefore it is

Ordered, That the Sergeant at Arms be, and he is hereby, directed to compel the attendance on the Senate of said named absent Senators, unless they be ill; and it is further

Ordered, That warrants for the arrest of said Senators be forthwith issued under the signature of the Presiding Officer, attested by the Secretary, and that the Sergeant at Arms be, and he hereby is, directed to execute such warrants forthwith by arresting each of said named absent Senators and bringing them, and each of them, before the bar of the Senate; and that he make due return to the Senate of the execution of said warrants; and that this order shall be continuing until fully executed unless otherwise ordered by the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the order proposed by the Senator from West Virginia.

Mr. BRUCE. Mr. President, is that debatable?

The PRESIDENT pro tempore. The Chair will hold that the order offered by the Senator from West Virginia is in line with the two previous motions entertained and carried by the Senate, the first for requesting and the second for compelling the attendance of Senators, and therefore that is not debatable pending the arrival of a quorum.

The question is upon agreeing to the order offered by the Senator from West Virginia. [Putting the question:] The "ayes" have it, and the motion proposed by the Senator from West Virginia will be entered as an order of the Senate, and the Sergeant at Arms will proceed to act thereunder.

After a short delay,

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Wisconsin will state it.

Mr. LA FOLLETTE. Are the writs being prepared pursuant to the order just adopted by the Senate?

The PRESIDENT pro tempore. The Chair so understands.

After further delay,

Mr. NEELY (at 1 o'clock and 55 minutes a. m.). Mr. President, may we have some report from the Sergeant at Arms, who has just entered the Chamber, as to the progress he is making in arresting absent Senators?

Sergeant at Arms BARRY. The Sergeant at Arms reports that an order of arrest has been prepared, certified, and signed by the President of the Senate, and that under it the order of the Senate is being carried out as rapidly as possible, which is not very rapidly. Senator GOODING has been the first one to respond to this order of arrest, and he is on his way to the Senate now.

Mr. BRUCE. Mr. President, may I ask the Sergeant at Arms how many have been served, if he knows?

Sergeant at Arms BARRY. All will be served. I do not know how many have been served.

Mr. BRUCE. You do not know that enough have been served to constitute a quorum, added to the number who are here now?

Sergeant at Arms BARRY. I think not, sir.

At 2 o'clock and 10 minutes a. m. Mr. GOODING entered the Chamber and answered to his name.

At 2 o'clock and 20 minutes a. m. Mr. FERRIS entered the Chamber and answered to his name.

At 2 o'clock and 25 minutes a. m. Mr. REED of Missouri entered the Chamber and answered to his name.

Mr. REED of Missouri. Mr. President, I wish to understand whether or not I am under arrest. If I am, I want to purge myself of contempt.

Mr. COPELAND. I move that the Senator from Missouri be purged from contempt, if he is in contempt.

The PRESIDING OFFICER (Mr. ROBINSON of Indiana in the chair). In the opinion of the Chair, the Senator from Missouri is not under arrest.

Mr. REED of Missouri. Mr. President, I want to say, if the Senate is properly in session so that I may say anything, that I left here to-night before 6 o'clock with the information that the Senate would probably continue in session only for half or three-quarters of an hour and that no vote was expected. I had no notice whatever that there was a night session in progress or I would have been there.

When it shall be in order for me to speak I intend to express myself regarding what I think is an inexcusable outrage.

At 2 o'clock and 30 minutes a. m. Mr. HAWES entered the Chamber and answered to his name.

At 2 o'clock and 35 minutes a. m. Mr. PEPPER entered the Chamber and answered to his name.

At 2 o'clock and 36 minutes a. m. Mr. STANFIELD entered the Chamber and answered to his name.

At 2 o'clock and 40 minutes a. m. Mr. PINE, Mr. GOFF, and Mr. GOULD entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty Senators having answered to their names, a quorum is present.

[TO BE CONTINUED.]

HOUSE OF REPRESENTATIVES

TUESDAY, February 22, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our heavenly Father, we praise Thee for Thy most merciful providences which have come to our beloved country. We thank Thee that we are citizens of this Republic. In grateful remembrance the past rises before us in bold and distinct outline. Years of national growth and development are evidences of Thy bounty. To-day we are the recipients of the chivalry and the traditions of our forefathers, who carried a millenium in their breasts and a Republic in their brains. They challenge our intellects and our hearts, because they still minister unto us and unto the world. May we feel the resistless spirit of him who we gratefully call "The Father of his Country." It was his balanced intellect, understanding, and his greatness of soul that steadied and preserved the infant Government against peril and prejudice. Be Thou the guardian of those principles which he so thoroughly incarnated; may they always be ours to cherish and to defend. Do Thou keep Thy hand upon the life and destiny of our land, and on this memorable day may our fellow citizens everywhere rededicate themselves to those fundamentals on which the sleepers of our great free institutions must ever rest for their glory and perpetuity. Through Jesus Christ our Lord. Amen.

The SPEAKER. Without objection, the reading of the Journal will be deferred until later in the day.

There was no objection.

RECESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the House stand in recess, to reassemble at the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Accordingly, at 12 o'clock and 7 minutes, the House stood in recess, at the call of the Speaker.

EXERCISES AT JOINT SESSION ON WASHINGTON'S BIRTHDAY

At 12 o'clock and 10 minutes p. m. the Doorkeeper, Mr. Bert W. Kennedy, announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by the Secretary and Sergeant at Arms, entered the Chamber.

The VICE PRESIDENT took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The Doorkeeper announced:

The Chief Justice and the Associate Justices of the Supreme Court of the United States.

The ambassadors and ministers of foreign governments.

The chief naval officer, the chief of staff, and the commandant of marines.

The descendants of the family of George Washington.

The President and members of his Cabinet.

The SPEAKER. In pursuance of arrangements made by the joint committee, the Vice President will conduct further proceedings.

The VICE PRESIDENT. The Chair presents the vice chairman of the commission on the celebration of the two hundredth anniversary of the birth of George Washington, the Senator from Ohio [Mr. FESS].

Senator FESS. In accordance with the resolution creating the commission to study and recommend a proper celebration of the two hundredth anniversary of the birth of George Washington,